

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69837 of 2024

Arising Out of PS. Case No.-364 Year-2022 Thana- CHAPRA TOWN District- Saran

Amit Giri Son of Dharmnath Giri Resident of Arya Nagar Giri Tola Kathari
Bagh, P.S. - Town, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Md. Ataur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 302, 328, 201/34 of the Indian Penal Code.

3. As per prosecution case, all the accused persons including this petitioner took away the husband of informant from his house and later on, his dead body was found lying near a temple. Informant suspects that all F.I.R. named accused persons committed murder of her husband by poisoning.

4. Learned counsel for the petitioner submits that informant is not an eye witness of the occurrence and petitioner has been made accused in this case only on suspicion. He further submits that in the post-mortem report, no external injury was found and in the FSL report, Ethyl Alcohol along



with Methyl Alcohol was found in the body of the deceased. As a matter of fact, deceased was habitual drinker and died due to consumption of liquor. It is further submitted that similarly situated co-accused, namely, Arbind Giri has already been granted anticipatory bail by this Hon'ble Court *vide* order dated 11.10.2023 passed in Cr. Misc. No. 62382 of 2023.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Town P. S. Case No. 364 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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