

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7219 of 2025

Arising Out of PS. Case No.-479 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

1. Ram Babu Sah S/o- Late Ramashish Sah Village- Rashi Ps-Bochahan Dist- Muzaffarpur
2. Urmila Devi W/o- Ram Babu Sah Village- Rashi Ps-Bochahan Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Ms.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-02-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Bochaha P.S. Case No. 479 of 2023 registered for the offences punishable under Sections 341, 342 and 328/34 of the Indian Penal Code.

3. The allegation against the petitioners and other co-accused persons is of administering poison to the informant on account of a dispute.

4. Learned Advocate for the petitioners drawing the attention of this Court to the fardbeyan of the informant contended that surprisingly the occurrence took place on 14.08.2023 and on being treated by the doctor, she was



discharged on 17.08.2023, but the F.I.R. has been instituted on 19.08.2023 and, as such, deliberation cannot be ruled out. Apart from omnibus nature of allegation, the informant has not come out with the real facts of the case, inasmuch, both the parties are close family members, who have been residing in a joint family house. It is contended that one of the co-accused person, who is facing identical allegation, has been allowed the privilege of anticipatory bail by this Court in Cr. Misc. No. 70173 of 2024 vide order dated 23.10.2024. It is the contention of the petitioners that in fact the informant herself consumed poison and later on on account of some instigation and grudge, the name of the petitioners has been implicated in this case. The petitioners bear fair antecedent.

5. On the other hand, learned APP for the State opposes the bail application and submits that specific allegation has been levelled against the petitioners that they have forcibly administered poison to the informant.

6. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the F.I.R., coupled with the fact that co-accused person having identical allegation has been allowed the privilege of anticipatory bail by this Court, and the witnesses to the



occurrence has come out with different version, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIV, Muzaffarpur (East) in connection with Bochaha P.S. Case No. 479 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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