

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14025 of 2025

Arising Out of PS. Case No.-1174 Year-2023 Thana- KHAGARIA District- Khagaria

1. Juhi Pandey Son of Late Chandan Pandey RESIDENT OF VILLAGE- SANSARPUR, P.S.- KHAGARIA MUFFASIL, DISTRICT- KHAGARIA.
2. Meena Pandey Wife of Late Dhiraj Pandey RESIDENT OF VILLAGE- SANSARPUR, P.S.- KHAGARIA MUFFASIL, DISTRICT- KHAGARIA.
3. Pappu Pandey @ Krishna Kumar Pandey Son of Late Dhiraj Pandey RESIDENT OF VILLAGE- SANSARPUR, P.S.- KHAGARIA MUFFASIL, DISTRICT- KHAGARIA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-05-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner nos. 1 and 2 are women and the informant alleges that his brother (Chandan) was suffering from fever, but after treatment in hospital he was recovering, but his wife got him discharged from the hospital and took him to her parental home, further on



18.01.2023, the informant was informed that Chandan died, accordingly he reached the place of occurrence, further after seeing the dead body of his brother, it is alleged that his brother was poisoned to death by the accused persons including the petitioners, further earlier also effort was made to kill his brother by poisoning.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, it is next submitted that petitioners are wife, mother-in-law and brother-in-law of the deceased. It is next submitted that Chandan was married to Juhi in the year 2007 and out of the wedlock, three children were born who presently are aged about 15 years, 13 years and 10 years respectively. It is next submitted that prior to death of Chandan and his father, his three brothers got land transferred in name of their wives from their mother, without consent of the deceased for which petitioner no. 1 filed Partition Suit No. 194 of 2024 in which twelve family members are impleaded as defendants. It is next submitted that Chandan died on account of kidney failure. It is also submitted that no motive has been assigned for the occurrence, but then the informant with a view to grab the property of Chandan and to coerce the petitioner no. 1 into



submission so that she does not pursue with Partition Suit No. 194 of 2024, instituted the instant false case. It is also submitted that body was sent for postmortem and no poisonous substance was found.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners, but then fairly submits that from perusal of the postmortem report, it manifests that no poisonous substance was found in the viscera of the deceased.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 the learned trial court where the case is pending/successor court in connection with Khagaria (Muffasil) P.S. Case No. 1174 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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