

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90528 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- FESHAR District- Aurangabad

Ganesh Chaudhry @ Janesh Chaudhry

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 90229 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- FESHAR District- Aurangabad

Usha Devi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 90528 of 2025)
For the Petitioner/s : Mr. Arvind Kumar Singh
For the Opposite Party/s : Mr. Nand Kishore Prasad
(In CRIMINAL MISCELLANEOUS No. 90229 of 2025)
For the Petitioner/s : Mr. Arvind Kumar Singh
For the Opposite Party/s : Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 421-04-2026
1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Feshar Police Station Case No. 40 of 2025, dated 17.04.2025, disclosing offences under Sections 103(1)/123/3(5) of the Bhartiya Nyaya Sanhita.

3. The prosecution case, as per the First Information Report,



is that on 04.04.2025, the son of the petitioners, namely, Raushan Kumar, committed theft of jewellery from his house and went to the market for selling it. On way he met informant's son, namely, Bittu Kumar (deceased) and thereafter both of them went to jeweller's shop. In the meanwhile the jeweller informed the petitioner-Ganesh Choudhary @ Janesh Choudhary about selling of jewellery upon which the petitioner-Ganesh Choudhary reached and scolded informant's son and also threatened him to kill. On 05.04.2023, the son of the informant went to attend nature's call and while returning, the petitioners abused him and took him to their house and the petitioners and their son forcibly administered poison to him. The deceased some how returned to his house and narrated entire story to informant and the informant admitted his son in hospital where he died.

4. Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in the present case. He next submits that the petitioners have been made accused on the basis of concocted story inasmuch as the informant's son has committed suicide



after the incident of selling jewellery. He further submits that dead body of the deceased was not found in the house of the petitioners and during course of investigation some of the witnesses have said that deceased consumed poison and committed suicide due to humiliation caused to him for selling theft article.

5. Learned counsel for the State opposes the prayer for bail and submits that doctor has found decolouration of nail and lips. Though cause of death has been reserved till chemical analysis report (FSL Report), however, prima face it appears that deceased was administered poison as per the FIR.
6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that during course of investigation some witnesses has said that the deceased has consumed poison, I am inclined to grant the petitioners privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioners, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount



each to the satisfaction of learned Additional Chief
Judicial Magistrate VII, Aurangabad, in connection with
Feshar Police Station Case No. 40 of 2025, subject to the
condition laid down under Section 482 (2) of the Bhartiya
Nagrik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

ashwani/-

U		T	
---	--	---	--

