

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48977 of 2014

Arising Out of PS.Case No. -47 Year- 2012 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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Budhan Sah Son of Shivdhari Sah Resident of Village - Saraiya Gopal, P.S.
- Patahi, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Arun Kumar Pandey(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 30-04-2015 Heard learned counsel for the petitioner as well as

learned counsel for the State.

In this application for anticipatory bail the petitioner
apprehends his arrest for the offences punishable under sections
120 B, 328 and 302 of the I.P.C.

The younger brother of the informant was poisoned to
death in his in-laws house by the petitioner and other co-accused
after making conspiracy and further strangulated him.

Submission is of false implication and that against the
petitioner there is no specific allegation. He is the brother-in-law.
As a matter of fact, the deceased himself consumed poison due to
frustration and thereafter he died. In this case two co-accused have

been allowed regular bail by the Hon'ble Court and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. opposes.

Considering the allegation attributed against the petitioner and further noticing that in the impugned order it has been mentioned that in the Forensic Science Laboratory report the cause of death has been found poisonous substance and as such this Court is not persuaded to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with Patahi P.S. Case No. 47 of 2012 pending in the court of S.D.J.M. East Champaran at Motihari.

(Jitendra Mohan Sharma, J)

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