

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36782 of 2015

Arising Out of PS.Case No. -72 Year- 2015 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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Pasindra Ram @ Posindra Ram @ Posondru Ram Son of Balesar Ram @
Baleshwar Ram Resident of village - Chauhaniya, Police Station -
Madhuban, District - East Champaran (Motihari)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. C.Jawahar(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 02-12-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under
Sections 302 and 328 of the Indian Penal Code.

Allegation against the petitioner is that he administered
poison and caused death of the deceased, Saraswati Devi.

It has been submitted on behalf of the petitioner that he
has got no criminal antecedent. He is in custody since 29.3.2015.
Chargesheet has been submitted in the present case. There is no
allegation of tampering of evidence against the petitioner. There
is no eye witness to the alleged occurrence. No specific overt act
has been alleged against him.

On behalf of the State, it is submitted that petitioner is
named in the F.I.R. and the dead body of the deceased is said to
have been recovered from the house of the petitioner. It is a case
of poisoning. Forensic Science Laboratory report is received in a
sealed cover and the same is opened. From perusal of the Forensic

Science Laboratory report it would appear that Aluminium Phosphide is said to have been detected in the chemical examination.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner, same is rejected.

Any how, the court below is directed to take all necessary steps to conclude the trial in connection with Madhuban P. S. Case no. 72 of 2015 (G.R. no. 449 of 2015) preferably within a period of one year from the date of receipt/production of a copy of this order.

Let the Forensic Science Laboratory report be returned in the office of the Director, Forensic Science Laboratory, Patna.

(Sudhir Singh, J)

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