

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15735 of 2014

Arising Out of PS.Case No. -13 Year- 2014 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

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1. Padma Devi, Wife of Maheshwar Thakur
2. Maheshwar Thakur, Son of Late Sri Kant Thakur
3. Vinod Thakur Son of Maheshwar Thakur
4. Pinki Devi @ Pinku Devi, Wife of Dilip Thakur
All Residents of Village- Adarsh Nagar, Road No. 4(D), Police Station-
Samastipur (M), District- Samastipur.

.... Petitioners

Versus

The State Of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rana Sanjay Kumar Singh, Advocate
For the State : Mr. Murli Dhar, APP
For the Informant : Mr. Ranjan Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 29-04-2015 Heard learned counsel for the petitioners and learned
APP for the State assisted by learned counsel for the informant.

2. The petitioners apprehend their arrest for the
offences alleged under Sections 304-B, 328 read with Section 34
of the Indian Penal Code registered in connection with
Samastipur (M) P.S. Case No.13 of 2014.

3. It is submitted on behalf of the petitioners that they
have been falsely implicated and they were living separately and
had no connection with the husband of the deceased. It is further
submitted that there is no eye-witness to the occurrence.

4. Pursuant to the order of this Court dated
09.07.2014, case diary and viscera report have been received in

sealed cover, which was opened by the Court Master in the Court during the hearing of the anticipatory bail petition. According to the viscera report from Forensic Science Laboratory, Patna, Aluminium Phosphide, being highly poisonous substances, was detected in the viscera of the deceased, which prima facie supports the accusation that the deceased was administered poison.

5. Having regard to the nature of accusations and the gravity of the offence alleged and considering the viscera report, this Court is not inclined to grant privilege of anticipatory bail to the petitioners. The bail petition stands dismissed.

6. Let the Registry re-seal the viscera report and return the same to the Director, Forensic Science Laboratory, Patna. The Superintendent of Police, Samastipur and the Investigating Officer of the case shall ensure that a copy of the viscera report is submitted in the court concerned without delay.

7. Let the Registry communicate a copy of this order to the Superintendent of Police, Samastipur.

(Vikash Jain, J)

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