

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19940 of 2015

Arising Out of PS.Case No. -13 Year- 2015 Thana -NAWANGAR District- BUXAR

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1. Rakesh Sah @ Barak Sah Son of Ram Lal Sah resident of Village-
Nokhpur, Police Station- Nawanagar, District- Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

04/ 01.10.2015 Unsealed bag in which sealed envelop is found which is
opened in presence of all the parties and FSL report Nawanagar
(Basudeo O.P) P.S. Case no. 13/2015 dated 6.8.2015 is found. FSL
report reveals that celphos was found in the viscera of the deceased of
the aforesaid case.

Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner happens to be husband of the deceased and it is
stated that poison was administered to the deceased by the petitioner
but none of the prosecution witnesses claimed to have seen the
petitioner giving poison to the deceased.

The contention on behalf of the petitioner is that, at best, it
is case of section 306 of the Indian Penal Code and moreover,
petitioner is in jail custody since 17.1.2015 and investigation of this
case has already been completed.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar in Nawanagar (Basudeo O.P) P.S. Case no. 13/2015.

Office is directed to seal the FSL report again and send it to the concerned court immediately for needful.

Shahid

(Hemant Kumar Srivastava,J)

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