

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43404 of 2015

Arising Out of PS.Case No. -4 Year- 2015 Thana -CHAND District- BHABHUA (KAIMUR)

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1. Birendra Bind son of late Murahu Bind R/o village Baherian, P.S. Chand,
District Kaimur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

04/ 09.11.2015 Viscera report in sealed cover received which was opened in
presence of the parties.

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

There is accusation against the petitioner that he
administered poison to the deceased and to fortify the aforesaid
accusation, two circumstances have been brought by the prosecution
in course of investigation. Firstly, informant claims that deceased
came out of the house of the petitioner and prior to that when
informant enquired about presence of the deceased from petitioner,
petitioner denied the presence of the deceased in his house. Secondly,
viscera report of the deceased goes to show that poison was found in
viscera of the deceased.

Therefore, in my view, it is not a fit case for grant of

privilege of bail to the petitioner, at least, at this stage and accordingly, his prayer for bail in connection with Chand P.S. Case no. 04/2015 pending in the court of Chief Judicial Magistrate, Kaimur at Bhabua/concerned court stands rejected.

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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