

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24359 of 2015

Arising Out of PS.Case No. -3 Year- 2015 Thana -GANGABRIDGE District-
VAISHALI(HAJIPUR)

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CHHOTU @ PANDITJI @ CHHOTU KUMAR @ ASHUTOSH KUMAR
@ PANDIJI, SON OF RAM NARESH CHAURASIYA RESIDENT OF
MOHALLA- PAN HAT JARUHA BARAHI TOLA, P.S. INDUSTRIAL
AREA, DISTRICT VAISHALI.

..... PETITIONER/S
VERSUS
THE STATE OF BIHAR

..... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur
For the Opposite Party/s : Mr. M.K.Khare(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 23-09-2015 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner is accused in connection with Ganga Bridge
P.S. Case No. 3 of 2015 registered under Section 302/34 of the Indian
Penal Code pending in the court of Chief Judicial Magistrate, Vaishali
at Hajipur.

The accusation is that Kundan Kumar, son of the
informant, was working as driver in the Transport Office of father of
the petitioner. On 03.01.2015, Anil Kumar and petitioner came at the
house of the informant and searched Kundan Kumar but he was not
present at that time. When son of informant came at his house then the
informant told him about the matter. In the meantime, on telephonic

call of Anil, Kundan Kumar, son of informant, had gone for clearing the account. Thereafter, son of informant came at his house and became ill and told his mother that petitioner along with others gave him a glass of wine. After some time, son of informant, became seriously ill and unconscious and thereafter he died. The informant claimed that the accused persons named in the F.I.R. killed the son of informant by administering poison.

Learned counsel for the petitioner submits that petitioner happens to be the son of the owner of Dayal Carrier and has falsely been implicated in this case mere on suspicion and is in custody since 21.02.2015.

While there is no ante-mortem injury found on the person of the deceased, Kundam Kumar but the F.S.L. report No. 110/15 dated 10.08.2015 received with the case diary show that ALUMIUM PHOSPHIDE along with ETHYLALCOHOL was detected in the contents of plastic jar commercially known as 'CELPHOS'

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

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