

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17783 of 2016

Arising out of PS.Case No. -281 Year- 2015 Thana -KOCH District- GAYA

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Rajesh Kumar @ Rajesh Kumar Singh, S/o Suresh Singh, R/o Village-
Kailash Math, P.S. Konch, Distt- Gaya, Bihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Brijeshwar Narayan Singh, Advocate.

For the Opposite Party : Mr. M.Haque(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 05-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 01.02.2016
in connection with Konch P.S. Case No. 281 of 2015 for the
offences instituted under Sections 302 and 328 of the IPC.

The accusation is of mixing poisonous substance in the
wine of informant's father resulting into his death.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 01.02.2016 and the charge sheet has
been submitted in the present case. There is no allegation of
tampering of the witnesses against the petitioner. He has got no
criminal antecedent. There is no eye witness to the alleged
occurrence nor there is any circumstantial evidence to suggest his

implication in the present case.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. The allegation is that poison was mixed in the drink of the deceased. F.S.L. report has been received and the same is opened in the Court which suggests that Aluminium Phosphide was found.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Konch P.S. Case No. 281/2015, pending in the court of the learned S.D.J.M., Gaya. Anyhow, the court below is directed to take all necessary steps to expedite the trial.

Let F.S.L. report be returned back to the Director, Forensic Science Laboratory, Bihar, Patna.

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(Sudhir Singh, J)