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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7347 of 2016

Arising Out of PS.Case No. -257 Year- 2015 Thana -MASAURHI District- PATNA

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Chhotu Pandit @ Chhotu Kumar son of Sri Sudarshan Pandit, a resident of Nayamatpur, P.S.- Masaurhi, District- Patna

.... Petitione

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner : Mr. Arvind Kumar Mouar, Adv.
For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

6 26-10-2016 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 328, 302/34 of the Indian Penal Code, registered in connection with Masaurhi P.S. Case No. 257 of 2015.

3. It is submitted that the petitioner has been falsely implicated as in fact it was a case of love affair between the petitioner's sister and the deceased and due to non acceptance of marriage proposal, the deceased committed suicide.

4. Learned APP relies on the case diary to oppose the bail petition submitting that several witnesses have supported the accusation against the petitioner such as Panna Devi in para-8, Tara Devi in para-9, Shanti Devi in para-10.

5. Pursuant to order dated 17.08.2016 of this Court, the viscera report has been received according to which an Ethyl Alcohol along with Aluminium Phosphide (Celphos) was detected being a highly poisonous substance.

6. Having regard to the nature of accusations and gravity of the offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

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

8. Let the Registry communicate a copy of this order to the Senior Superintendent of Police, Patna.

(Vikash Jain, J)

Md. Ibrarul/BT

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