

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28674 of 2016

Arising Out of PS.Case No. -206 Year- 2015 Thana -KAKO District- JEHANABAD

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Dinesh Kumar Son of Mahendra Mahto resident of Village- Damuha, Police Station- Kako, District- Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sunil Srivastava, Advocate.

For the Opposite Party : Mr. Madhuranand Jha, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-09-2016 Heard both sides.

The petitioner apprehends his arrest in Kako P.S. Case No. 206 of 2015 registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

The informant is widow of the deceased she alleged that after meeting Sanjay Yadav, Chandrashekhar Yadav and Dinesh Kumar, the petitioner took her husband to Jehanabad market. Chandrashekhar Yadav came at 6:00 in the evening to her house and informed that condition of Sunil Ji was deteriorating. The informant sent her cousin to look after her husband but her husband died and her cousin and others brought the dead body. The informant suspected that the petitioner and two others mixed poison in the wine and that is why her husband died.

Learned counsel for the petitioner submits that the doctor found cause of death as intake of excessive alcohol but it appears that the informant has made very specific allegation that poisonous substance was mixed with alcohol and the doctor did not keep viscera reserved to find out as to whether there was any poisonous substance in the abdomen.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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