

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22135 of 2016**

Arising Out of PS.Case No. -74 Year- 2015 Thana -JADIA District- SUPAUL

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1. Prakash Rishideo  
2. Mukesh Rishideo Both are sons of Khikhar Rishideo resident of village -  
Parsagarhi, P.S. - Jadia, District - Supaul.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

5      22-09-2016

Heard learned counsel for the Petitioners and the  
State.

The Petitioners seek bail in Jadia P.S. case No.74 of  
2015 instituted for the offence under Sections 328, 302 and  
201/34 of the Indian Penal Code, pending in the court of Sub-  
Divisional Judicial Magistrate, Supaul.

The prosecution case, in brief, is that on 6.7.2015 the  
informant's nephew Domi Rishideo went to his Sasural at  
Parsagarhi for Bidagari of his wife Sanjula Devi. On 7.7.2015 at  
6 A.M. Sanjula Devi gave information on telephone that her  
husband Domi Rishideo died. On getting such information, the  
informant along with others went to Parsagarhi, where they learnt  
that the accused persons including the petitioners administered  
poison to Domi Rishideo and due to which he died and thereafter  
they thrown his dead body near canal.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 7.3.2016 and 15.3.2016 respectively and the charge sheet has been submitted in the present case. The petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest their implication in the present case. No motive has been alleged against the petitioners for committing the said offence.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. Number of witnesses in the case diary have supported the allegations made in the F.I.R. The death is said to have taken place in the house of the petitioners. The onus is upon the petitioners to explain the cause of death of the deceased. The F.S.L. report indicates that it is a case of poisoning.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioners. The same is rejected. The Court below is directed to take all necessary steps to expedite the trial.

**(Sudhir Singh, J)**

Narendra/-

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