

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39607 of 2016

Arising Out of PS.Case No. -454 Year- 2015 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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1. Paras Ram, S/o Late Tena Ram Resident of Village- Fulwariya, P.S.-
Sugauli, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Sri Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

5 08-03-2017 Heard both sides.

The petitioner apprehends his arrest in Sugauli P.S.
case No.454 of 2015 under Section 302, 120B/34, 328 of the
Indian Penal Code.

The informant alleged that petitioner, Paras Ram, and
four others took his father, Rameshwar Ram, with them. The
informant went in search of his father and found his father sitting
under a tree with the petitioner and others and they were forcibly
giving wine to his father. After few hours, the petitioner and others
left his father at his Darwaja and fled away.

Sri N. K. Agrawal, the learned senior counsel for the
petitioner, submits that petitioner has got no enmity with the



deceased. There is no motive for committing murder of the deceased. The deceased might have taken poison but absolutely there is no evidence that petitioner administered any poison to the deceased but from perusal of the case diary and F.S.L. report it appears that the deceased died due to consumption of Celphos (Aluminum Phosphide), which was mixed with ethyl alcohol.

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

If the petitioner surrenders in the court below, i.e., the learned Additional Chief Judicial Magistrate-I, East Champaran at Motihari in Sugauli P.S. case No. 454 of 2015, the learned court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced from the order of this court.

(Prabhat Kumar Jha, J)

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