

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33089 of 2017

Arising Out of PS.Case No. -53 Year- 2016 Thana -ANGARGHAT District- SAMASTIPUR

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1. Pankaj Kumar Rai @ Pankaj Rai, S/o Ram Narain Rai, resident of
Village- Supaul, P.S.- Angarghat, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachin Kumar

For the Opposite Party/s : Mr. Kumar Virendra Narayan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 11-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
03.12.2016 in connection with S.T. No. 283/17, arising out of
Angarghat P.S. Case No. 53/16 for offences punishable under
Sections 304-B/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, who
is the cousin grand-father of the deceased Mina Devi, is that father
of the deceased was working in Madhya Pradesh and informant
was looking after his cousin grand-daughter Mina Devi. He
received information from the petitioner that Mina Devi is sick
and has been taken to the hospital and within half an hour it was



informed that she has died. When the informant reached the house of the deceased he was informed that they had taken her for cremation and on reaching the place of cremation all the accused persons including the petitioner fled away and the half burnt body of the deceased was recovered.

It has been submitted by the learned counsel for the petitioner that he is innocent and being the husband has been falsely implicated in the aforesaid case. He submits that the deceased could not bear a child after marriage, and, as such, she consumed poison and he was the person who informed the informant about her. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Viscera report was called for from the Director, Forensic Science Laboratory, Bihar, Patna, which has been received in which it has been reported that Ethyl Alcohol and Methyl Alcohol has been found in the viscera, which is a highly poisonous substance.

Considering the facts and circumstances and the



materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with S.T. No. 283/17, arising out of Angarghat P.S. Case No. 53/16, pending in the court of learned ADJ-VIth, Samastipur.

Application is, accordingly, rejected. However, learned court below is directed to expedite the trial on day-to-day basis.

(Nilu Agrawal, J)

Rajesh/-

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