

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53387 of 2017

Arising Out of PS.Case No. -41 Year- 2017 Thana -POWAKHALI District- KISANGANJ

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Amino @ Aminuddin @ Aamindin, Son of Jainuddin Resident of Mirbhitha
Police Station - Powakhali, District - Kishanganj. Petitioner.
Versus

The State of Bihar. Opposite Party.
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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh

For the Opposite Party/s : Mr. Anish Chandra
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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

03 12-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Powakhali P.S. Case
No.41 of 2017 registered under Sections 328, 302 and 120B of the
Indian Penal Code.

As per the prosecution case, the petitioner is said to
have assaulted the sister of the informant and forcibly
administered her poison in association of other accused persons.
The daughter of the deceased divulged the aforesaid occurrence to
the informant.

It is submitted by learned counsel for the petitioner
that the allegation against the petitioner is not specific rather
general and omnibus in nature. The police has not found any
symptom of poisoning on the person of the deceased at the time of
preparation of inquest report. The doctor, who conducted the



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autopsy of the deceased, has primarily reported the cause of death as cardiac respiratory failure and sent viscera for its chemical examination for definite opinion on 28.04.2017. The chargesheet in the case has been submitted but no viscera report has been brought on record. The petitioner has been languishing in custody since 11.08.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Kishanganj in connection with Powakhali P.S. Case No.41 of 2017.

(Prakash Chandra Jaiswal, J)

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