

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27890 of 2018

Arising Out of PS.Case No. -9 Year- 2018 Thana -ALINAGAR District- DARBHANGA

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Sadre Alam, S/o Md. Zazim, Resident of Village-Garaul, P.S.-Ali Nagar,
District-Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kr. Bharti

: Mr. Nitu Kumari no. 7

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

For the informant : Mr. Kedar Jha

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 23-07-2018 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with

Alinagar PS case no. 9 of 2018 instituted for the offences
punishable under Sections 328, 302, 120(B)/34 of Indian Penal
Code.

The allegation is regarding the petitioner having

administered poison to his wife, whereafter the wife of the
petitioner had died.

The learned counsel for the petitioner submits that

the motive alleged i.e. the petitioner was having illicit relationship with
some other woman, is also false, inasmuch as the daughter and son



of the petitioner have denied the said allegation. It is further submitted that the petitioner is innocent and he is languishing in custody since several months.

Per contra, the learned counsel for the State and the learned counsel for the informant have submitted that the complicity of the petitioner is writ large which is apparent from the records of the case as also from the case diary.

I have gone through the records of the case and the case diary as also the report submitted by the Regional Forensic Science Laboratory, Muzaffarpur, Government of Bihar, to this Court, in pursuance to the earlier order of this Court dated 03.07.2018 and from the same, it transpires that upon examination, it appears that Aluminium Phosphide has been found in the contents of the glass containing some portion of lung, liver, spleen, kidney and stomach of the deceased and it has also been stated that the said substance is used as a grain preservative and is highly poisonous.

Having regard to the facts and circumstances of the case, *prima facie* the present case appears to be a case of poisoning and the complicity of the petitioner is apparent from the records, hence I am not inclined to grant bail to the petitioner. Accordingly, the present petition is dismissed.



Report received from the Director, Regional Forensic Science Laboratory, Muzaffarpur, Bihar is directed to be sealed and sent back to the concerned court.

(Mohit Kumar Shah, J)

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