

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53795 of 2018

Arising Out of PS. Case No.-365 Year-2017 Thana- PURNEA SADAR District- Purnia

Prakash Uraon, Son of Late Balram Uraon, Resident of Village- Lalbari, P.S.-
Sadar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Soni Srivastava, Advocate.

Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

5 27-11-2018

Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in Sadar P.S. Case No. 365
of 2017 giving rise to Sessions Trial No. 210 of 2018 instituted
for the offence under Sections 302 and 328 of the Indian Penal
Code.

Petitioner is husband of the deceased.

In the written report it is alleged that prior to the
alleged occurrence altercation had taken place between
husband and wife. It is further alleged that on 4.5.2017
altercation took place between husband and wife and daughter
of the informant along with her two minor children was given
poison in the food by the petitioner and his family members. It



is further alleged that in Hospital the daughter of informant died due to aforesaid poisoning.

Case diary has been received.

Post mortem report is available in the case diary wherein it appears that viscera has been preserved, but viscera report is not available in the case diary.

Report has been received from the court below from which it appears that letter was sent to Superintendent of Police, Purnea, and Director FSL, Patna, to send viscera report of the deceased to this Court. On 17.11.2018, I.O. of the case appeared before the court below with a petition to grant permission to send viscera for chemical examination to FSL, Patna, which shows that viscera was not sent to FSL, for which, show cause was called for by the court below from the I.O. for doing such irresponsible act.

Counsel for the petitioner submits that trial has already proceeded and three witnesses have been examined in the case.

In such circumstances, this Court is not inclined to grant bail to the petitioner at this stage.

Prayer for bail of the petitioner stands rejected.

The court below is directed to expedite the trial and



make efforts to conclude the same as early as possible preferably within a period of six months from the date of receipt of copy of this order.

(Sanjay Priya, J)

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