

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54332 of 2018

Arising Out of PS.Case No. -54 Year- 2016 Thana -MANER District- PATNA

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1. Pintu Rai Son of Keshav Rai @ Keshav Prasad Rai, resident of Village-Dumaria, Tata Colony, P.S.- Maner, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gyanendra Kumar Singh

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-10-2018 The petitioner is in custody since 07.07.2018 in connection with Maner P.S. Case No. 54 of 2016, registered for offences punishable under Sections 302 and 328 of the Indian Penal Code.

Allegation against the petitioner is that he mixed some poisonous substance in the toddy and after consuming the same, the deceased died.

Submission of learned counsel for the petitioner is that there is delay of 10 days in lodging F.I.R. and at best, one of the witness has stated that the petitioner was seen along with the deceased while taking toddy and except this there is nothing against the petitioner and he is in custody since 07.07.2018.

Heard learned A.P.P. also, who opposed the prayer for



bail of the petitioner stating that the petitioner was seen while taking toddy with the deceased and later on F.S.L. and viscera report suggest that Aluminum Phosphide was there.

Having heard both sides and considering the aforementioned facts and circumstances, I am not inclined to grant bail to the petitioner.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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