

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9649 of 2019

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

SADRE ALAM Son of-Md. Nazim Resident of village-Ganoul-Gadauli, P.S.-
Ali Nagar, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhusudan Kumar

For the Opposite Party/s : Mr.Ajay Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-03-2019 The present case is a second attempt on behalf of the

petitioner for grant of regular bail in connection with Sessions
Trial No. 229 of 2018 arising out of Ali Nagar P.S. Case No. 9
of 2018 for the offences punishable under Sections 328, 302,
120(B) and 34 of the Indian Penal Code.

The prayer of the petitioner for grant of regular bail
had already been rejected by this Court by an order dated
23.07.2018 passed in Cr. Misc. No. 27890 of 2018 by a well
reasoned order.

The allegation is regarding the petitioner having
administered poison to his wife, whereafter the wife of the
petitioner had died.

This Court had on the earlier occasion gone through
the records of the case, the case diary as also the report



submitted by the Regional Forensic Science Laboratory, Muzaffarpur, Government of Bihar and it had transpired that the Regional Forensic Science Laboratory had found Aluminium Phosphide in the contents of the glass containing some portion of lung, liver, spleen, kidney and stomach of the deceased and it was also stated in the report that the said substance is highly poisonous. This Court was of the *prima facie* opinion that upon perusal of the case diary and other materials on record, the complicity of the petitioner was writ large on the records of the case and the petitioner is said to have administered poison to his wife resulting in her death.

The learned counsel for the petitioner has advanced same and similar argument and nothing new has been submitted. In fact, there is no change in circumstances from the time the prayer of the petitioner for regular bail was rejected on the last occasion i.e. 23.7.2018, hence, this Court finds that there is no occasion for reconsidering the prayer for regular bail of the petitioner herein, hence, the present petition is rejected.

(Mohit Kumar Shah, J)

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