

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 81158 of 2019

Arising out of PS Case No.-69 Year-2019 Thana-Bakhari District-Begusarai

=====

Anjani Kumar Singh, male, aged about 43 years, S/o Late Akhileshwar Prasad Singh, R/o Village-Makhachak , P.S.-Bakhri, District-Begusarai.

.....Petitioner/s

Versus

The State of Bihar

.....Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. S.K. Lal, Adv.

For the State : Dr. Ajeet Kumar, APP

=====

CORAM : HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

05/- 31.08.2020

Heard Mr. S.K. Lal, learned Advocate for the petitioner and Dr. Ajeet Kumar, learned APP for the State.

The petitioner seeks bail in connection with Bakhri P.S. Case No. 69 of 2019, dated 17.03.2019, instituted for the



offences under Sections 341, 328, 302, 120B, 376(n) and 34 of the Indian Penal Code.

The petitioner and some of the others have been made accused in this case with the allegation of raping and killing the deceased by poisoning her.

Mr. Lal, learned Advocate for the petitioner has submitted that the deceased was a divorcee having a child and the house of the grandmother of the deceased is located near the house of the petitioner.

However, from the pleadings made in the petition, it appears that at the time of inquest, saline needle, handiplast and Ryle's tube were found by the Investigating Officer.

Learned counsel for the petitioner has tried to impress upon this Court that recovery of such items at the time of inquest only demonstrates that the deceased was under medication. On the other hand, the presence of Ryle's tube gives an impression that perhaps the deceased was being disemboweled. This is the natural course of treatment in case



of poisoning where the poison from the intestine is sought to be removed by the Ryle's tube.

In any view of the matter, notwithstanding the fact that the petitioner is in custody since 07.11.2019, I am not inclined to grant bail to him because of the nature of accusation leveled against him.

The prayer for bail is rejected.

A report had actually been called for from the Court below about the stage of the case, which has since been received. Only the petitioner has been charge-sheeted and cognizance has been taken against him. The other accused persons have not yet been apprehended.

The Court below would take necessary steps for committing the case to the Court of *Sessions* as a separate trial and the Trial Court shall expedite the conclusion of the same.

If there is no substantial progress in the case of the petitioner, he would be entitled to approach the Trial Court for grant of bail. In such an event, if the Trial Court is not inclined



to grant bail to the petitioner, he ought to accord reason for the delay in the trial.

It is expected that the trial shall be concluded within a reasonable period of time, preferably within a period of one year from the date of receipt/production of a copy of this order.

With the aforesaid observation/direction, the petition stands disposed off.

(Ashutosh Kumar, J.)

Praveen-II/-

U	T
---	---

