

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2959 of 2020

Arising Out of PS. Case No.-355 Year-2019 Thana- ATRI District- Gaya

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Tulsi Chauhan Son of Ram Khelawan Chauhan Resident of Village -
Koriyachak, P.S.- Atri, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Adv.

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

8 07-12-2021 Heard.

The petitioner seeks regular bail in connection with
Atri P.S. Case No. 355 of 2019 for the offence punishable under
Sections 304(B), 328, 34 of the Indian Penal Code.

The petitioner, who happens to be the husband of the
deceased victim lady, is alleged to have killed her by poisoning
her.

The Ld. Counsel for the petitioner has submitted that
the petitioner is innocent, has been falsely implicated in the
present case and is having a clean antecedent. The learned
counsel for the petitioner has further submitted that the present
case is a case of suicide and the petitioner has no role to play in
administering poison to the deceased victim lady.

Per contra, the learned A.P.P. for the State, Shri Raj



Ballabh Singh, has vehemently opposed the prayer for grant of regular bail.

I have gone through the materials on record and perused the FSL report, which was called for by an earlier order of this Court, from which it appears that highly poisonous substance has been detected in the visceral organs, portion whereof was sent for FSL examination to the Forensic Science Laboratory, Bihar, Patna, which is apparent from the FSL report dated 02.07.2020. It is thus apparent that the complicity of the petitioner in the alleged occurrence is writ large from the record. Hence, I do not find any reason to grant bail to the petitioner, especially in view of the fact that a prima facie case is definitely made out qua the petitioner herein regarding him having killed his wife. Thus, the present petition stands dismissed.

Let the F.S.L. report be sealed and sent back to the Director, Forensic Science Laboratory, Patna in connection with Atri P.S. Case No. 355 of 2019.

(Mohit Kumar Shah, J)

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