

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23072 of 2020**

Arising Out of PS. Case No.-608 Year-2019 Thana- BANKA District- Banka

MUNNA ANSARI @ MUN ANSARI S/o Kariman Miyan Resident of
Village- Bheri Bathan, P.S.- Banka, Distt- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nand Singh, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

7 01-02-2021 Heard Mr. Viveka Nand Singh, learned Counsel for
the petitioner and Mr. Nawal Kishore Prasad, learned Additional
Public Prosecutor for the State.

This application, for grant of regular bail, arises out of
Sessions Trial No.58 of 2020, arising out of Banka Police
Station Case No. 608 of 2019, disclosing offences under Section
304(B)/34 of the Indian Penal Code.

The allegation, as per the First Information Report
is that the marriage of the daughter of the informant was
solemnized with the petitioner in the year 2013. It has further
been alleged that due to non-fulfillment of demand of dowry, the
petitioner and other family members assaulted the informant's
daughter by means of *lathi* due to which she died.

Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case with ulterior motive. Learned counsel further submits that during course of investigation, it has come to light that no external injury has been found on the person of the deceased and the Viscera Report of the deceased was preserved and was sent for analysis in Forensic Science Laboratory. Learned counsel next submits that the deceased had consumed poison due to which she died. Learned counsel for the petitioner further submits that the petitioner is in custody since 31.08.2019.

This Court by its order dated 05.11.2020 had called for Viscera Report and in pursuant thereof, the Director, Regional Forensic Science Laboratory, Bhagalpur submitted the copy of the Viscera Report and from perusal of the same, it appears that the Aluminium Phosphide was detected in the Viscera examination of the deceased which is commercially known as 'CELPHOS' and the same is severe gastro-intestinal irritant.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the Viscera Report and the fact that petitioner is in custody since 31.08.2019, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Munna Ansari @ Mun Ansari, be released on bail on furnishing bail bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1, Banka, in connection with Sessions Trial No.58 of 2020, arising out of Banka Police Station Case No. 608 of 2019.

(Anil Kumar Sinha, J.)

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