

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41725 of 2021

Arising Out of PS. Case No.-63 Year-2021 Thana- BHITAHA District- West Champaran

Hajarat Miyan Son of Mahmood Mian Resident of Village - Dhuniyapatti,
Ward No. 5, P.S.- Bhitaha, District - West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-12-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Bhitaha P.S. Case No. 63
of 2021, registered for the offence punishable under Sections
302, 328 and 34 of the Indian Penal Code.

As per the prosecution case, this petitioner and five
named accused persons administered poison to the husband of
informant, as a result of which he died.

It is submitted on behalf of the petitioner that in fact,
deceased has taken loan from other accused persons for
purchasing tractor and so far as this petitioner is concerned, due
to land dispute and political rivalry he has been falsely
implicated in this case. Deceased was habitual in taking wine
and due to excess drinking he died. Petitioner is in custody since



04.06.2021.

Learned APP however, vehemently opposed the prayer for bail and submitted that as per postmortem report, the cause of death of deceased is due to administering of poison.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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