

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36405 of 2020**

Arising Out of PS. Case No.-40 Year-2018 Thana- BANDEYA District- Aurangabad

Amarnath Kumar Sao Son of Ram Naresh Saw Resident of Village - Malhad,  
P.S. - Bandeya, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      09-04-2021      Heard both sides.

The petitioner apprehends his arrest in Bandeya P.S.  
Case No.40 of 2018 registered under Sections 304B and 120B  
of the Indian Penal Code.

The informant alleged that petitioner being the  
husband and other in-laws forcibly asked his daughter to take  
tea mixed with poison and consequently his daughter died.

The learned counsel for the petitioner submits that  
petitioner is the husband of the deceased. Petitioner has good  
relation with her. Petitioner took his wife to Patna for her  
appearance at the Group D examination but she fell ill and she  
was under treatment but it appears from perusal of the order of  
the learned Sessions Judge that the post-mortem on the body of  
the deceased was held. From the examination of the viscera



report, Aluminium Phosphide Celphos was found and deceased died on account of consumption of Aluminium Phosphide Celphos. It is further submitted that F.I.R. was lodged after one month.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioner and the fact that petitioner forced his wife to take tea before leaving the house but the tea was mixed with poison and immediately after consuming tea the wife of the petitioner died, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J)**

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