

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21881 of 2022

Arising Out of PS. Case No.-102 Year-2011 Thana- SAKRA District- Muzaffarpur

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Pramod Kumar @ Pramod Mahto Son of Rajendra Mahto R/O Village - Siho,
Repura, P.S.- Sakra, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 05-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Sakra P.S.
Case No. 102 of 2011 registered for the offence under Sections
302, 328, 201 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 15.02.2021.

The allegation against the petitioner is to commit
murder of his wife, after 14 years of marriage for non-
fulfillment of demand of Rs.3 lakhs, for the purpose of business,
by administering poison.

Learned counsel appearing on behalf of the petitioner



submitted that death of wife of the petitioner is due to suicide out of family frustration. It is submitted that informant is not the eye witness of the occurrence and entire allegation is based upon suspicion. It is submitted that petitioner informed the informant about the occurrence and made request to join the last rites also. It is also submitted that after obtaining the consent, last rites was performed and, admittedly, this is not a case, where post mortem was conducted upon the deceased. It is further submitted that F.I.R., even, on its face suggest that allegation of administering poison is very much general and omnibus. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that allegation of administering poison is general and omnibus, as per F.I.R.

In view of the facts and circumstances as mentioned above, as allegation regarding administering poison, after 14 years of marriage, is appearing very much general and omnibus, from the bare perusal of the F.I.R., coupled with the fact that



chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sakra P.S. Case No. 102 of 2011 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XII, Muzaffarpur/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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