

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23774 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- CHANDAUTI District- Gaya

Binod Gupta @ Vinod Kumar Gupta S/o Arjun Gupta R/o village- Keshru
Dharampur, P.S.- Chandauti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 23-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel 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 Chandauti
P.S. Case No. 21 of 2022 registered for the offence under Sections
328, 302 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 25.01.2022.

The allegation against the petitioner is to commit murder
of husband of informant by administering poison/intoxicant
alongwith toddy.

Learned counsel appearing on behalf of the petitioner
submitted that the death of the husband of informant was caused due
to excess consumption of country made liquor and due to



neighbourhood disputes and differences the petitioner has been falsely implicated in present case. It is submitted that informant is not the eye witness of the occurrence and the entire implication is based upon suspicion, where allegation is very much general and omnibus against this petitioner. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation of administering poison/intoxicant is very much general and omnibus against this petitioner, where informant is not the eye witness of the occurrence coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Chandauti P.S. Case No. 21 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. III, Gaya/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

U		T	
---	--	---	--

