

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51139 of 2022

Arising Out of PS. Case No.-118 Year-2020 Thana- BISFI District- Madhubani

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NARESH DAS S/o Basudev Das Resident of Village- Belhaghat, P.S.- Bisfi,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 16-12-2022 The matter has been taken-up through video
conference.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Section 302/34 of
the Indian Penal Code.

Prosecution case, in short is that the informant got his
daughter married with the petitioner about 12 years ago and his
daughter was blessed with two sons and two daughters. Further
alleged that for the last some time her in-laws including the
petitioner started torturing and on 18.04.2020 at 10.00 am he



received an information on mobile that his daughter has been killed by administering poison by the accused persons. When the informant along with his family members went to the matrimonial house of his daughter who was found lying dead.

Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner is the husband of the deceased and the marriage was solemnised about 12 years ago. From the post-mortem report, which is annexed at 'Annexure-3' of the bail application, it appears that there is no external injury found on the body of the deceased at the time of the examination and in the opinion of doctor no definite opinion is given as to the cause of death. Learned counsel for the petitioner further submits that F.S.L. report dated 31.08.2021 sent to this Court by Regional Forensic Science Laboratory, Muzaffarpur, in Criminal Misc. No. 7849 of 2021, related to the instant F.I.R. disclosed that "No Metallic, Alkaloidal Glycosidal, Pesticidal and volatile poison could be detected", which is mentioned in order dated 08.09.2021 passed in Criminal Misc. No. 7849 of 2021 (Annexure-4). It is further submitted that another co-accused, namely, Sita Devi and Vasudeo Das have been granted bail by a Co-ordinate Bench of this Court vide



order dated 08.09.2021 passed in Criminal Miscellaneous No. 7849 of 2021. Learned counsel for the petitioner further submits that charge has already been framed on 13.04.2022 but till date, no witness has been examined and the case is being adjourned in a routine matter. It is submitted that the petitioner is in custody since 19.04.2020 and he has antecedent of one case.

Learned A.P.P for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned learned Additional District and Sessions Judge-VIII, Madhubani in connection with Session Trial No. 148 of 2022 arising out of Bisfi P.S. Case No. 118 of 2020.

(Khatim Reza, J)

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