

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65766 of 2021**

Arising Out of PS. Case No.-370 Year-2018 Thana- GOVINDGANJ District- East
Champaran

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1. DAYA SINDHU SINGH Son of Late Anup Singh Resident of Village - Bindvaliya Bahadurpur, P.S.- Govindganj, District - East Champaran.
 2. Ved Prakash Singh Son of Daya Sindhu Singh Resident of Village - Bindvaliya Bahadurpur, P.S.- Govindganj, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1

For the Opposite Party/s : Mr.Binod Kumar

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

4 19-04-2022 Heard learned counsel for the petitioners and the
State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 302, 328/34 of the Indian Penal Code.

As per the prosecution case, these petitioners and two unknown other accused persons administered poison to the husband of informant as a result of which he died.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case due to land dispute. The informant is not an eye witness of the occurrence which is apparent from her re-statement made



during the course of investigation wherein she has stated that she came to the place of occurrence after being informed. It is next submitted that viscera report has come after three and half years as such the same can not be relied upon. Petitioners claim clean antecedent and are in custody since 25.08.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that allegation leveled against these petitioners is supported by the viscera report wherein THIMET was detected in blood of the deceased.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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