

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69479 of 2021**

Arising Out of PS. Case No.-67 Year-2021 Thana- PRANPUR District- Katihar

SANTOSH MANDAL @ SANTOSH KEWAT Son of Babu Lal Kewat
Resident of Village- Sahja, P.S.- Mansahi, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Narendra Kumar Singh

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

3 25-04-2022 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in registered for the offences punishable under sections 307/302 and other allied sections of the Indian Penal Code.

As per the prosecution case, informant used to serve food and cleaning utensils in the Hotel of the petitioner. On the fateful day, petitioner took him to his house on the eve of Ram Naumi and offered him poisonous food. When the informant heard by the petitioner that he would be killed, he started fleeing away from the house of the petitioner. However, petitioner and two other accused persons overpowered him and threw him on electric wire causing burn injuries. Injured died during treatment.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He submits that during investigation, witnesses have not supported the prosecution case and have stated that the informant accidentally came in contact of electric wire. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 0.7.2021.

Learned counsel for the State opposes the prayer for bail and submits that the informant, in the dying declaration, has specifically and directly made allegation that it was the petitioner who offered him food laced with poison and when he felt uneasiness, petitioner tried to kill him and when he ran away to save his life, he pushed him on electric wire.

Considering the nature of accusation and the dying declaration of the informant, prayer for bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

shashi/-

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

