

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3847 of 2023

Arising Out of PS. Case No.-52 Year-2010 Thana- BANKA District- Banka

Gourakh Rajbhar @ Gorakhnath Rajbhar Son Of Late Abhilakh Rajbha @
Late Abhiakh Rajbhar R/V- Gangoli, P.S- Kasimabad, Dist- Gajipur (u.P)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Balram Kapri

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 22-06-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302,
201, 34 of the Indian Penal Code.

As per FIR, the allegation against the petitioner is
that he in connivance with wife of the deceased committed
murder of the informant's brother by administering poison.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner has illicit relation with the wife of the deceased
and due to which he has falsely been implicated in this case.



He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 09.032022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that petitioner and wife of the deceased administered poison to the informant's brother due to which he died and the wife of the deceased is still traceless. As per FSL Report, which is annexed with para 102 of the case diary, it is evident that Aluminium Phosphide was detected, which is a severe gastro intestinal irritant. It is further submitted that during investigation several witnesses also supported the prosecution version.

Having heard the learned counsel for the parties and considering the facts and circumstances, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible

(Sunil Kumar Panwar, J)

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