

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15594 of 2022

Arising Out of PS. Case No.-153 Year-2021 Thana- DARPA District- East Champaran

Santosh Prasad @ Santosh Mahto Son Of Aami Chand Mahto Resident Of
Village - Pipra Purwari Tola, P.S.- Darpa, District - East Champaran At
Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikash Kumar Pankaj

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 06-02-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 304(B), 323, 504, 506, 34 of the Indian Penal

Code.

The accusation is of killing the sister of the

informant by putting poison in her mouth for non-

fulfillment of dowry demand.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely



been implicated in this case. The petitioner is husband of the deceased. There is general and omnibus allegation against the petitioner. The marriage took place in the year, 2014. The victim had earlier filed a case against the petitioner in which the matter was amicably settled between the parties and they were leading a happy conjugal life. The deceased died natural death and the family members of the deceased were informed to attend the last rites of the deceased. The petitioner is languishing in custody since 27.09.2021.

Vide order dated 12.07.2022, case diary and viscera report were called for from the learned Court below.

The case diary as well as viscera report are available with the records.

The viscera report suggests that Aluminium Phosphide, which is commercially known as Celphos, a highly poisonous substance was detected.

Considering the fact that poisonous substance



was found in the viscera report, this Court is not inclined to grant privilege of bail to the petitioner.

The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same at the earliest.

Let the viscera report be returned to the court concerned.

(Sunil Kumar Panwar, J)

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