

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65262 of 2022

Arising Out of PS. Case No.-33 Year-2022 Thana- ASHOK PAPER MILL District-
Darbhanga

RAKESH LAL DEV S/o Binod Lal Dev R/o Village- Manortha, P.S.- Ashok
Paper Mill, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 27-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case instituted for
the offence under Sections 302, 504, 506/34 of the Indian Penal
Code.

The allegation against the petitioner along with others is
of brutally assaulting the daughter of the informant, due to which
she died. It is further alleged that the deceased in law's used to
assault his daughter for demand of three lacks rupees from
deceased's father.

It is submitted by learned counsel for the petitioner that
petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is the husband of the deceased.
There is no any prior complaint regarding assaulting,



harassment and torturing to the deceased against the petitioner and others. Petitioner is a daily wage labour and at the time of occurrence, he was not present at his home. Petitioner is languishing in judicial custody since 21.06.2022.

Learned APP for the State has opposed the application for bail and submitted that petitioner is the husband of the deceased and there is a complicity of this petitioner in this crime. From the perusal of the FSL report, it appears that Aluminium Phosphide was detected, which is commercially known as Celphos is a severe gastro-intestinal irritant and it is highly poisonous. During investigation several witnesses have also supported the prosecution case.

Having heard the learned counsel for the parties and considering the nature of allegation, 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 conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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