

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75382 of 2022

Arising Out of PS. Case No.-36 Year-2013 Thana- BHIMPUR District- Supaul

BHUPENDRA SINGH S/o Late Ram Bilash Singh R/o Village- Bhimpur,
P.S.- Bhimpur, Distt- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 20-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Bhimpur P.S. Case No. 36 of 2013 instituted for the offence
under Sections 328, 302 of the Indian Penal Code.

As per allegation in the FIR, the informant alleged
that the petitioner along with co-accused Ram Babu Singh
assaulted his wife. Thereafter, the petitioner administered
poisonous substance to the informant's wife due to which froth
coming out from her month. After that, she became senseless
and she died while, arrangement was being made for her
treatment.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. There was an



dispute between the petitioner and informant regarding partition of family property due to which the petitioner has falsely been implicated in this case. It is also submitted vide para 9 of the petition that the informant is a habitual drinker and everyday he used to quarrel with deceased. The informant's wife was completely faded up and due to same, she committed suicide. The petitioner has got no criminal antecedent as stated in para-3 of the petition and languishing in judicial custody since 24.6.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that there is direct allegation against the petitioner of administering poison to the deceased. It is further submitted that froth from both nose of the deceased were present during postmortem and viscera has been preserved. On perusal of F.S.L. report, it appears Aluminium phosphide which is commonly known as 'CELPHOS' was detected and the same is highly poisonous. Further, witnesses of the case have also supported the prosecution version.

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 expedite the trial and
conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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