

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22256 of 2024

Arising Out of PS. Case No.-745 Year-2020 Thana- MAJHAULIA District- West Champaran

Rajesh Ram, Son Of Late Sukhal Ram Resident Of Village- Parsha Khojwa
Tola, Ps- Majhauriya, Distt- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap, Advocate

For the Opposite Party/s : Mrs.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 05-07-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Majhauriya P.S. Case No. 745 of 2020 registered for the offence under Sections 302, 328 and 34 of the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R. and is in custody since 15.09.2023.

4. The allegation against the petitioner is to commit murder of son of informant, along with other co-accused persons, by administering some poisonous substance/ spurious liquor, where after consumption, son of informant died on very next day of occurrence, where, occurrence is



arises out of unsecured loan of Rs. 50,000/- given by the deceased on the occasion of marriage of daughter of brother of the petitioner.

5. Learned counsel appearing on behalf of the petitioner submitted that son of informant is habitual drinker and out of consumption of spurious liquor, he died. It is submitted that alleged loan of Rs. 50,000/- is against the brother of petitioner not against this petitioner. It is further pointed out that as per forensic report of preserved viscera no metallic alkaloid spurious liquor/poison was detected, negating the allegation, *prima facie*, as raised through present FIR. It is submitted that learned coordinate Bench of this Court has granted privilege of bail to the co-accused Vinod Ram in Cr. Misc. No. 38471/2023 vide order dated 19.07.2023. While concluding the argument, it is submitted that investigation of this case is completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer of bail.



7. Considering the facts and circumstances as mentioned above, as no metallic alkaloid, spurious liquor/poison detected in preserved viscera, in the background of suspicion, as raised through present FIR coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 15.09.2023, let the petitioner, above named, be directed to be released on bail in connection with Majhauriya P.S. Case No. 745 of 2020, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions, Bettiah, West Champaran/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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