

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72438 of 2023

Arising Out of PS. Case No.-496 Year-2022 Thana- MAHUA District- Vaishali

Awadhesh Ray aged about 46 years (Male) Son Of Late Jagdish Ray R/O
Village- Chakjainab (Chak-Nanab), P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar, Adv.

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 13-02-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with
Mahua P.S Case No. 496 of 2022 registered for the offences
punishable under Sections 302 and 328 of the I.P.C.

3. As per allegation in the FIR, the informant
along with his wife and younger brother named Vikash
Chaudhary has gone to sasural of his brother for attending
the worship. After returning from there his younger brother
Vikash Chaudhary started vomiting and in way for
treatment to doctor he became unconscious and further he
died. The informant claimed that some unknown person



administered intoxicating substance to him due to which he died.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and he is not named in the FIR. It is further submitted that no incriminating article has been recovered from the possession or premises of the petitioner. Learned counsel next submits that as per FSL report no poison was detected in the visceral organ of the deceased. It is also submitted that petitioner is in judicial custody since 22.10.2022.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Vaishali at Hajipur in the connection with Mahua P.S Case No. 496 of 2022.

7. However, the trial court is directed to conclude



the proceeding of *framing of charge* according to law
within a period of one month from the date of receipt of this
order.

(Ramesh Chand Malviya, J)

Mayank/-

U		T	
---	--	---	--

