

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81252 of 2023

Arising Out of PS. Case No.-291 Year-2023 Thana- SULTANGANJ District- Patna

MD. SARFARAZ @ PATU S/O LATE HANNAN MOHALLA-MEER
SHIKAR TOLI, P.S. ALAMGANJ, DIST.- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. A. Shamsi

For the Opposite Party/s : Mr. Shailendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 01-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sultanganj P.S. Case No. 291 of 2023, registered for the offences punishable u/ss 328 and 302/34 of the Indian Penal Code.

3. As per the prosecution case, the informant's brother had gone with the petitioner for traveling. On 20.06.2023, the petitioner came with the dead body of the informant's brother and fled away leaving the dead body at the informant's door. It is suspected that the petitioner gave some poisonous substance to the deceased and committed murder and his wife was also involved in the said occurrence.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is the petitioner who took the deceased for travelling thereafter, the deceased complaint pain on his chest and stomach then the petitioner with assistance of his friends took the deceased to hospital where the doctor declared him dead. The medical report of the deceased was kept on record as Annexure-2. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner has no concern with the alleged occurrence. The petitioner is in judicial custody since 21.03.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner has committed murder of the deceased by giving some poisonous substance. As per the F.S.L. report, "Organo Phosphorous Pesticide" was detected in the contents of glass jar as described above. It is used in agriculture for killing pests and is highly poisonous. He has further submitted that the medical report of the deceased (Annexure-2) appears to be false.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner above-



named on bail.

7. Learned trial court is directed to expedite the trial
and conclude the same at the earliest.

8. The application stands rejected.

(Chandra Prakash Singh, J)

Ranjeet/-

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