

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28953 of 2025

Arising Out of PS. Case No.-592 Year-2024 Thana- SAKRA District- Muzaffarpur

Mohan Kumar S/o Ratnesh Ray R/o Village- Nagin Mushari, P.S.- Sakra,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-07-2025 Heard Mr. Alok Kumar Alok, learned counsel for the

petitioner and Mr. Kumar Veerendra Narayan, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sakra P.S. Case No. 592 of 2024, FIR dated 22.11.2024 registered for the offences punishable under Sections 103, 123 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, the informant was informed by his sister's father-in-law that she had consumed poison and was admitted to Sakra Hospital. When he reached the hospital, none of her in-laws were present. He alleged that his sister was regularly tortured by her husband (petitioner) and other co-accused persons. A day before the incident, she



informed him that the accused persons had beaten her and threatened to poison her. Her marriage had taken place 11 years ago and she was continuously subjected to cruelty, ultimately leading to her death by poisoning.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that he is husband of the deceased. The allegation as alleged is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R.

5. Learned A.P.P. for the State, on other other hand, on the basis of materials available on record and case diary has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that there is specific allegation against the petitioner and co-accused persons have administered the poison to the deceased and the postmortem report also support the allegation made in the F.I.R., apart from that the F.S.L. Report also confirm " **'ALUMINIUM PHOSPHIDE'** was detected in the contents of glass jar as described above. Aluminium Phosphide commercially known as **'CELPHOS'** is a severe gastrointestinal irritant. It is commonly used as grain preservative and is highly poisonous" which suggests that the



petitioner and co-accused persons have administered the poison to the deceased.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Sakra P.S. Case No. 592 of 2024 pending in the court of learned A.C.J.M.-15(East), Muzaffarpur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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