

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15827 of 2026

Arising Out of PS. Case No.-173 Year-2025 Thana- AAJAM NAGAR District- Katihar

Munajir Alam S/o Sagul Alam @ Sagur @ Md Sagul Resident of village-
Siktiya, Ward no. 04, Police Station- Azamnagar, Katihar (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Ravish, Advocate Mr. Amit Kumar Singh, Advocate
For the Opposite Party/s	:	Mrs. Pushpa Sinha, APP
For the Informant	:	Mr. Md. Manzer Karim, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-03-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 123, 85, 80, 61(2) and 3(5) of BNS.

3. The case of the prosecution is that sister of the informant, namely, Sonam Khatoon (deceased) was married to this petitioner. It is further alleged that she was subjected to cruelty on account dowry demand and was killed by administering poison.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that from perusal of the



FIR it is clear that the nature of allegation is general and omnibus and in FIR itself, it is clear that the deceased was being rushed to Sadar Hospital, Katihar for treatment and she died in the way and after that she was brought back in ambulance. He has further submitted that this shows the bona fide of the petitioner and his family members. From perusal of the postmortem report, it will transpire that the doctor conducting autopsy of the deceased has not found any external injury over body of the deceased. The viscera was preserved and from FSL report, it is clear that Aluminium Phosphide which is commercially known as 'CELPHOS' was found in the viscera of the deceased. He has further submitted that there is allegation that she was administered poison forcefully. Had the administration of poison been forceful, there must have been some resistance which would have been there in the postmortem report. Celphos is very pungent in smell and it cannot be administered forcefully. Moreover, the petitioner is languishing in judicial custody since 03.06.2025 having no criminal antecedent.

5. Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer of regular bail.



6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Azamnagar P.S. Case No. 173 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-I, Katihar.

(Ashok Kumar Pandey, J)

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