

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17111 of 2026

Arising Out of PS. Case No.-300 Year-2025 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Vishnu Jha @ Vishnu Kumar @ Vishnu Kumar Jha Son of Pampam Jha
Resident of village- Ekparha, EkPardha, PS- Simri Bakhtiyarpur, District-
Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate
		Mr. Pawan Kumar, Advocate
		Mr. Kumar Raj Deep, Advocate
For the Opposite Party/s :		Mrs. Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 18-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 123, 103(1),
61(2) and 64 of the BNS.

3. The case of the prosecution is that the daughter of
the informant has gone to coaching center. It is alleged that the
petitioner has forcibly administered her poison after committing
rape with her. The victim was referred to Sadar Hospital and
from there, she was referred to Saharsa and in the ambulance,
the daughter of the informant disclosed to the informant that the
petitioner has administered poison after committing “bura



kaam”. She was rushed to a private nursing home where she died.

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 from perusal of the FIR, it is clear that only one Sangeeta Kumari is the eye witness who has come to the hospital with the deceased. Sangeeta Kumari has given her statement during investigation before police wherein she has stated that the deceased was her classmate and they were taking coaching in same class. On that day, the deceased started vomiting and when she asked, it was disclosed by the deceased that she consumed some medicine. Other students of the coaching have also been examined by the police and they have also stated the same thing. Learned counsel has submitted that from perusal of the postmortem of the deceased also, it transpires that the doctor conducting autopsy of the deceased has found no injury on any part of the body and the viscera was preserved and opinion regarding death was also reserved. In this case, the victim was first rushed to Sub-Divisional Hospital, Simri Bakhtiyarpur, Saharsa. The doctor who has first examined the deceased, has found alleged history of ingestion of some



unknown poisonous substance. Learned counsel has further submitted that after investigation, the police have submitted charge sheet under Section 108 of BNS and from perusal of the postmortem report also, it is clear that the viscera of the deceased was preserved and this goes to show that the doctor conducting autopsy, was treating a case of poisoning. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 16.10.2025.

5. Learned APP appearing for the State has 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 Simri Bakhtiyarpur P.S. Case No. 300 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 C.J.M., Saharsa.

(Ashok Kumar Pandey, J)

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