

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69502 of 2025

Arising Out of PS. Case No.-627 Year-2024 Thana- BEUR District- Patna

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Anand Shankar @ Lucky Kumar @ Lucky Singh @ Lucky @ Anand Kumar
Sri Sachchu Prasad Singh Resident of Village - Makhdumpur, P.S. - Beur,
District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 18-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Beur P.S. Case No. 627 of 2024 registered for the offence
punishable under Section 105 of the B.N.S., 2023.

3. The case of the prosecution in short is that the
informant came to know that Kundan Kumar has fallen from the
roof. Then he went to see him. When he reached near Anden
Dental Clinic then he found there Uttam Kumar and the petitioner
with two other unknown persons. After that he was rushed to the
hospital and was declared dead by the Doctor.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. He also
submits that from perusal of the post-mortem report, it will



transpire that the deceased has received certain antemortem injuries, and from perusal of the FSL report, it will transpire that the viscera of the deceased contained aluminum phosphide, commercially known as *Celphos*, which is a severe gastrointestinal irritant. He further submits that in this case, the name of this petitioner has been dragged only because he was present where the deceased had fallen. He further submits that during the course of investigation, it has come to light that the deceased, the petitioner, and co-accused Vikash were all friendly and they had consumed alcohol in the night as they were having a party and from the statement of Vikash, it is clear that the deceased had fallen from the roof and the petitioner had brought him to the clinic. He further submits that from perusal of the antemortem report, it is clear that the cause of death is the consumption of *Celphos*. *Celphos* is very pungent in nature. It cannot be forcefully administered. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 14.07.2025.

5. The application for bail is vehemently opposed by the learned counsel for the informant and the learned APP for the State. Learned counsel for the informant stated that there was an agreement between one Sunaina Devi, Kundan Kumar and Uttam



Kumar. Uttam Kumar had a friendship with the petitioner and the background in which the offence has been committed creates serious doubt that the petitioner, who is a doctor, might have administered *Celphos* to the deceased. From perusal of the entire material, it is clear that there is no direct evidence as to how the deceased died, but this much is clear: the deceased had certain antemortem injuries regarding which it is said that he had fallen from the roof, and *Celphos* was found in the viscera of the deceased, regarding which it has already been noted that *Celphos* is very pungent in smell and it cannot be administered forcefully.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 1st Class, Patna, in connection with Beur P.S. Case No. 627 of 2024.

(Ashok Kumar Pandey, J)

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