

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76365 of 2025

Arising Out of PS. Case No.-802 Year-2023 Thana- RAJIVNAGAR District- Patna

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Ajay Kumar S/o Mahendra Sahni @ Mahendra Choudhary R/o Village - PNT
Colony, Kidwaipuri, P.S - Budha Colony, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Raj, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 16-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Sessions Trial No. 911 of 2025, arising out of Rajiv Nagar P.S.
Case No. 802 of 2023, lodged on 15.12.2023, under Sections
302 & 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner was earlier rejected vide order
dated 18.01.2025 passed in Cr. Misc. No. 86030 of 2024.
Counsel further submits that this Hon'ble Court was pleased to
reject the bail application on the basis of the alleged confession
as well as the materials available in the case diary, wherein there
was an allegation of administering an injection to the deceased,
resulting in his death.



4. Learned counsel further submits that in the impugned order, it has been categorically observed by the learned Sessions Court that, as per the FSL report, the death was caused due to 'Aluminium Phosphide', commonly known as 'Celphos', which was detected in the viscera of the deceased as a gastrointestinal irritant.

5. Learned counsel also submits that the Trial Court, after such observation, has rejected the bail application of the petitioner solely on the ground that this Hon'ble Court had earlier rejected the bail application of the petitioner.

6. Learned APP for the State opposes the prayer for bail but submits that, in view of the FSL report observing that 'Celphos' was found in the stomach of the deceased, the allegation of administering an injection has been diminished.

7. In the present facts and circumstances of the case and in view of the submissions made above, let the petitioner above-named be granted bail, subject to the satisfaction of the Trial Court that the petitioner is not absconding in Buddha Colony P.S. Case No. 173 of 2020 and Sonapur P.S. Case No. 580 of 2023, on furnishing bail bonds of ₹30,000/- (Rupees Thirty Thousand) as defined under Section 2(1)(d) of the BNSS, 2023, to the satisfaction of the District & Additional Sessions



Judge-XXIX, Patna, in connection with Sessions Trial No. 911 of 2025, arising out of Rajiv Nagar P.S. Case No. 802 of 2023, subject to the conditions laid down under Section 480(3) of the BNSS, 2023.

(Dr. Anshuman, J.)

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