

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.622 of 2026

Arising Out of PS. Case No.-47 Year-2012 Thana- PATAHI District- East Champaran

Budhan Shah S/o Sheodhari Sah R/o Village- Saraiya Gopal, P.S- Patahi,
Dist- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Yashraj Bardhan, Advocate
		Mr.Abhimanyu Kumar, Advocate
For the Opposite Party/s	:	Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 01-04-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Patahi P.S. Case no.47 of 2012, registered under sections 302, 120B, 328 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that his brother who had gone to his in-laws place called the informant to tell him that his wife was not ready to come home and she had fallen in bad company. It is further stated that subsequently it transpired that his brother has been poisoned to death by the accused persons that is the family members of his wife.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he happens to be the brother of the wife of the



deceased. No such occurrence as alleged in the FIR has taken place. The manner of occurrence is other than what has been narrated therein. The petitioner is in custody since 23.5.2025 and has no criminal antecedent. Charge has been framed in the learned trial Court and he undertakes to cooperate in the trial.

5. The application for bail is opposed by learned APP for the State, who submits that in connection with an FIR registered in the year 2012, the petitioner absconded till he was taken into custody on 23.5.2025. It is submitted that in the FSL report, traces of poison has been found. The co-accused who were tried have been convicted. Once the petitioner is enlarged on bail, he will not permit the trial to proceed.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR together with the petitioner having absconded for almost 12 years till he was taken into custody in an FIR of the year 2012 only on 23.5.2025 together with the trial of the co-accused having ended in conviction, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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