

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13498 of 2025**

Arising Out of PS. Case No.-194 Year-2018 Thana- JAKKANPUR District- Patna

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1. Sharwan Kumar Son of Late Shidheshwar Singh Resident of Teliya Mai, Near Prathmik School, P.S. - Aungari O.P., District - Nalanda. A/O- I.O.C. Road, Pragati Nagar, Sipara, Near St. Ravindra Bharti School, P.S. - Beur, District - Patna
2. Laxmi Devi Wife of Late Shidheshwar Singh Resident of Teliya Mai, Near Prathmik School, P.S. - Aungari O.P., District - Nalanda. A/O- I.O.C. Road, Pragati Nagar, Sipara, Near St. Ravindra Bharti School, 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. Deovind Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Ataur Rahman, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

4 30-06-2025 Heard Mr. Deovind Kumar Singh, learned counsel for the petitioners and Mr. Ataur Rahman, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Jakkanpur P.S. Case No. 194 of 2018, F.I.R. dated 04.05.2018 for the offences punishable under Sections 328, 302 and 34 of the Indian Penal Code.

3. According to prosecution case, the informant raised suspicion upon the petitioners for the death of his wife.

4. Learned counsel for the petitioner submits that petitioners have clean antecedent and they has falsely been



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that from the perusal of the F.I.R. it appears that the statement of the informant was recorded on 13.12.2017 but the present F.I.R. was registered on 04.05.2018 after delay of about five months and apart from that no cogent material has come during investigation, which suggests the involvement of the petitioners in the present occurrence.

5. The learned Additional Public Prosecutor on the basis of material available on record and case diary has vehemently opposed the prayer for bail of the petitioners and submits that although the F.I.R was instituted in the year 2018 itself but the petitioners have approached this Court as well as learned Trial Court for grant of anticipatory bail after delay of about more than six years and as per allegation in the F.I.R., the petitioners have poisoned the deceased and the FSL report also confirms the same (on chemical examination, Aluminium Phosphide was detected in the content of glass jar as described above.

Aluminium Phosphide commercially known as 'CELPHOS' is a severe gastro intestinal irritant. It is used as a



grain preservative and is highly poisonous).

6. Learned counsel for the informant submits that the present F.I.R. was instituted due to some misunderstanding.

7. Considering the allegation as alleged in the F.I.R and the material available on record, I am not inclined to grant the privilege of anticipatory bail to the petitioners in connection with Jakkanpur P.S. Case No. 194 of 2018 pending in the court of A.C.J.M.-cum-Sub Judge-VIII, Patna.

8. Prayer is refused.

**(Rajesh Kumar Verma, J)**

Jyoti Kumari/-

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