

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38104 of 2014

Arising Out of P.S. Case No. - 1 Year- 2013 Thana - KATEYA District- GOPALGANJ

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Ram Kishore Ram, Son of Bhrigurashan Ram, resident of Village -
Sarakarahi, P.S.- Kateya, District – Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 28-01-2015

Heard both sides.

The petitioner seeks regular bail in a case registered under Section 302 and other sections of the Indian Penal Code.

The petitioner himself made statement on the basis of which the present case was lodged against Subhash Ram, Raja Ram, Bashishtha Ram and three unknown. The petitioner alleged that they intercepted him while he was going along with his wife and assaulted the informant-petitioner and his wife.

Learned counsel for the petitioner submits that the police, during the course of investigation, found the petitioner involved in the case of murder of his wife as the petitioner had illicit relation with his sister-in-law. It is further submitted that there is no material to show that the petitioner killed his own wife. The post mortem report shows that his wife died of asphyxia on

account of pressing of her nose and mouth.

Learned A.P.P., on the other hand, submits that the witnesses have also stated that the petitioner was not at all injured and when his wife was brought to the hospital, the doctor declared her dead.

It appears that the case is based on circumstantial evidence and no tangible evidence is collected to show that the petitioner himself killed his wife.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in Kateya P.S. No. 1/2013, G.R. No. 19/2013.

(Prabhat Kumar Jha, J)

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