

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39972 of 2016

Arising Out of PS.Case No. -792 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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Lalu Ram, S/o Late Jugeshwar Ram, Resident of Village-Mustafapur, P.S.-
Ahiyapur, District-Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Diwakar Prasad Karan, Advocate
Mr. Chandra Shekhar Anand, Advocate

For the Opposite Party : Mr. Tarkeshwar Nath Thakur(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 22-11-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody since 24.05.2016 in
connection with Ahiyapur P.S. Case No. 792 of 2015 registered
for the offences punishable under Sections 302 and 201/34 of the
Indian Penal Code.

Case diary in the present case was called for, which
has since been received.

Counsel for the petitioner submits that there is no eye-
witness to the occurrence and the petitioner has been named on
mere suspicion.

Learned counsel appearing on behalf of the State after
perusal of the case diary, however submits that the petitioner is

clearly involved in the case, as it has come on record in the statement of several witnesses that the deceased was having some sort of illegal relationship with his wife, as a result of which there had been some hot exchange of words and altercation after which the present informant being aggrieved by the activities of her husband, left her husband and gone to her *Naihar*.

Considering the material which has been surfaced to the case diary and that the petitioner has been clearly named by most of the witnesses including the informant and also because of the fact that the postmortem report indicates that the deceased was first given ante-mortem injuries and then made of hang on the tree, I am not inclined to grant the regular bail to the petitioner. It is, accordingly, rejected.

(Anjana Mishra, J.)

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