

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36812 of 2017

Arising Out of PS.Case No. -103 Year- 2017 Thana -EKANGARSARAI District- NALANDA
(BIHARSHARIFF)

=====

Ajeet Kumar Son of Naresh Ram, R/o Village- Gehlaur, P.S.- Atri, District-
Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Amitesh Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 02-11-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner is languishing in judicial custody since
12.06.2017 in connection with Ekangarsarai P.S. Case No. 103 of
2017 for offences punishable under Sections 304(B)/34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter Sandhaya Kumari was married to the petitioner
on 07.05.2017 and when she went to matrimonial house the
petitioner along with other in-laws started harassing her for
demand of Almirah and Diwan. She came back to the parental
home. On 10.06.2017, the petitioner also went to the parental



house of his wife to take her back but on the night of 11.06.2017 the daughter of the informant was thrown from the terrace and she died.

It has been submitted by the learned counsel for the petitioner that he is innocent and that just because the incident occurred a month after the marriage the petitioner has been made accused. He submits that the incident occurred in the parental house of the deceased and because he was present in the house he has been made accused. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner and that there is no eye witness to the alleged occurrence.

However, learned counsel for the informant as well as learned APP for the State vehemently oppose the prayer for bail stating therein that the witnesses have supported the prosecution story and the terrace was 40 feet height and there was only one injury on the back of the head of the deceased and no fracture, which falsifies the statement of the husband-petitioner. He submits that there was no occasion for the petitioner to sleep on the terrace when there was a room given to him.

Considering the facts and circumstances and the



materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Ekangarsarai P.S. Case No.103 of 2017 pending in the court of learned Additional Chief Judicial Magistrate-1, Hilsa, Nalanda.

The application is, accordingly, rejected.

(Nilu Agrawal, J)

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