

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20550 of 2019

Arising Out of PS. Case No.-414 Year-2018 Thana- PATORI District- Samastipur

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1. SURESH RAI Son of Nakeshwar Rai, Resident of Village- Chandpur Dhamoun, P.S.- Patori, District- Samastipur.
 2. Pavan Kumar Ray, son of Suresh Rai, Resident of Village- Chandpur Dhamoun, P.S.- Patori, District- Samastipur.
 3. Prakash Kumar Ray @ Pappu Kumar, Son of Suresh Rai, Resident of Village- Chandpur Dhamoun, P.S.- Patori, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Moleshwar
For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 19-06-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Patory P.S. Case No. 414 of 2018, registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

Petitioners are said to have committed murder of the deceased in order to get the job in railway on compassionate ground after demise of the husband of the deceased.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners



have no concern with the aforesaid occurrence. They have been falsely implicated in this case by the informant with ulterior motive. As a matter of fact, after demise of husband, the deceased went into depression and she herself committed suicide. Witnesses in paragraph 57 of the case diary also supported the aforesaid case.

On the other hand, learned A.P.P. for the State vehemently opposing the bail petition submitted that the petitioners have committed murder of the deceased by strangulating in order to get job on compassionate ground after demise of the husband of the deceased. The doctor who conducted the autopsy of the deceased has reported the cause of death as asphyxia and shock caused by pressure on the neck by hard and blunt substance which rules out the case of suicide as taken by the petitioner, hence petitioners do not deserve bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected.

However, the petitioners are directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below is directed to pass an appropriate order in accordance with law without being



prejudiced by this order.

(Prakash Chandra Jaiswal, J)

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