

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35253 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- KOCHADHAMAN District- Kishanganj

Md. Taukir Alam @ Taukir Alam Son of Md. Nayeemuddin Resident of
vilalge- Bohita, Police Station- Kochadhman, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 30-09-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 23.02.2019 in connection with Kochadhaman P.S. Case No. 41 of 2019, registered for the offence under Sections 302, 201 and 34 of Indian Penal Code.

Learned counsel for the petitioner submits that there is no connection with the alleged occurrence which has been stated in the FIR by the informant who is niece of the deceased lady. Learned counsel further submitted that save and except his confessional statement before the police, there is no further material even in the diary to implicate the petitioner.

Diary was called for which has since been received.

Learned counsel further submitted though it has been stated that CDR of the deceased lady indicates that she was



communicating with the petitioner between the dates 10.02.2019 to 17.02.2019, it cannot be conclusively said to have that the petitioner was involved in the alleged murder of the deceased lady. He thus submitted only on the basis of conjectures and surmises the petitioner may not be prosecuted and he may be extended the privilege of bail.

Learned counsel for the State after perusal of the case diary states that there is sufficient material in the case diary to indicate that the petitioner was having an affair with the deceased and they had been in active contact since long by means of mobile phone between 10.02.2019 to the date of her disappearance and subsequently she was found dead with knife mark injuries. The postmortem also indicates the same and the confessional statement made before the police is also there and the knife in question which is alleged to have been used has also been recovered from the house of the petitioner.

In view of the aforementioned, I am not inclined to grant bail to the petitioner.

It is accordingly, rejected.

(Anjana Mishra, J)

S.Katyayan/
Rahul/-

U		T	
---	--	---	--

