

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42119 of 2019

Arising Out of PS. Case No.-714 Year-2018 Thana- FATUA District- Patna

Sanjay Ray @ Ranjeet Ray @ Ranjeet Kumar, Son of Indar Ray Resident of Village - Malikpur, P.S.- Raghapur, Dist.- Vaishali at Present Village- Gulmahiya Chak, Sahebpur, P.S.- Nadi, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Madhusudan Kumar, Advocate
For the informant	:	Mr. Sket Tiwari, Advocate
		Mr. Anuraj Singh, Advocate
For the Opposite Party/s :		Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

6 20-11-2019 Heard leaned counsel appearing on behalf of petitioner, learned counsel for the informant and the leaned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Fatuha P.S. Case No. 417 of 2018, registered under Section 302/34 of the Indian Penal Code, pending in the court of the A.C.J.M-V, Patna City.

The accusation is that Ramesh Kumar, husband of informant Babita Devi was employee in Railway Electric Department and he was posted at railway electric supply centre, Fatuha and he used to reside there and the informant used to go there with meal for her husband. On 24.11.2018 in the evening of 4-5 P.M., when informant reached at Railway



Electric Supply Centre, Fatuha near the room of her husband Ramesh Kumar then saw Dinkar Kumar, Sanjay Rai @ Ranjeet Rai (Petitioner) and Manoj Rai were coming out from the room of her husband. When informant entered in the room then found her husband was lying dead and Gamcha (towel) was folded in his neck. The informant raised suspicion that due to enmity, the aforesaid persons committed murder of her husband Ramesh Kumar.

Learned counsel appearing on behalf of petitioner submits that, in fact, petitioner had given Informatory Petition against Sohan Ray, father of the deceased, and brother of the deceased regarding giving threatening of dire consequence. The father and brother of the deceased used to give pressure for taking back the application of his daughter-in-law submitted for the post of Anganbari Sevika on 13.06.2018. The aforesaid Informatory petition filed in the Court of Chief Judicial Magistrate, Vaishali (Hajipur). The petitioner also filed Sanha before the Officer-In-Charge, Raghapur, Vaishali and on 22.11.2018 the petitioner also met with S.P. Hajipur. Further submission is that it has come in paragraph No. 12 of the case diary that deceased had taken loan from several persons and due to pressure, he committed suicide, but with ulterior motive,



the petitioner has falsely been implicated in this case.

On perusal of the case diary, it appears that informant saw the petitioner along with others coming out from the room, where husband of informant used to reside in course of discharging his duty and in Postmortem report the cause of death shown as Asphyxia due to strangulation.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected.

(Rajendra Kumar Mishra, J)

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