

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50628 of 2019

Arising Out of PS. Case No.-90 Year-2019 Thana- KESARIA District- East Champaran

RAM BACHCHAN RAUT Son of Late Nathuni Raut Resident of Village -
Rajpur Kunwar Tola, P.S.- Kesaria, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 20-11-2019 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in connection with Kesariya P.S. Case No. 90 of 2019 dated 25.02.2019 instituted for the offence under Section 302 of the Indian Penal Code. The case was earlier registered under Section 307 and some other Sections of the Indian Penal Code but with the death of the husband of the informant, Section 302 of the Indian Penal Code was added.

The deceased was done to death by the petitioner, his son and one Chhathu Raut. The purpose of killing the deceased is that the deceased did not have any child and therefore the accused persons including the petitioner wanted to grab the land of the informant. Though the accusation in the FIR is very vague in as



much as the date, time and the manner of assault has not been stated in the FIR but from the case diary, it appears that merely two days later than the lodging of the FIR, the post-mortem was conducted on the deceased and it was found that the deceased died of the injuries suffered by him. Thus, even in the background of the vague averments in the FIR, there is some link between the accusation and the death of the deceased.

The petitioner is in custody since 16.03.2019.

Considering the nature of accusation and the circumstances in which the death has taken place, I am not inclined to grant bail to the petitioner for the present.

The petition is dismissed.

(Ashutosh Kumar, J)

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