

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58354 of 2019

Arising Out of PS. Case No.-118 Year-2019 Thana- PAKRIDAYAL District- East Champaran

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SUJEET KUMAR @ MUNNA KUMAR Son of Sri Harendra Sah @
Harendra Prasad Resident of Village-Pakaridayal, Ward No.7, P.S.-
Pakaridayal, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 27-11-2019 Heard Mr. Umesh Chandra Verma, learned

counsel for the petitioner and Mr. Md. Aslam Ansari, APP

for the State.

The petitioner seeks bail in connection with

Pakaridayal P. S. Case No. 118 of 2019 dated

16.05.2019 instituted for the offences under Sections

302, 307, 380, 120-B and 34 of the Indian Penal Code.

The informant has alleged that when there was

no response from inside the house by his wife and

daughter, he scaled over the wall and reached inside the

house, where he found his wife seriously injured. The



daughter of the informant was also found injured but she was in her senses. She is said to have told the informant that the occurrence has been committed by one "Tuntun Uncle" who is one of the neighbours of the informant and his real name is Sumit Kumar @ Tuntun. The petitioner happens to be the elder brother of aforesaid Sumit Kumar @ Tuntun.

Mr. Umesh Chandra Verma, learned counsel for the petitioner has submitted that the source of information to the informant is his daughter, who too was injured. Later, in her statement under Section 164 Cr.P.C. which appears to be tutored one, she has taken the name of the petitioner also. In that event, the accusation against the petitioner does not appear to be correct.

He has further submitted that the motive for the occurrence is stated to be business rivalry whereas the informant has a business of selling edible goodies.

However, considering the nature of accusation



in the F.I.R. in which the wife of the informant died
whereas his minor daughter was injured, who has taken
the name of the petitioner in her statement under
Section 164 Cr.P.C., I am not inclined to grant bail to
the petitioner for the present.

The petition is dismissed.

(Ashutosh Kumar, J)

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