

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4020 of 2020

Arising Out of PS. Case No.-73 Year-2019 Thana- SARAI RANJAN District- Samastipur

Nagina Chaurasiya, aged about 45 years (Male), Son of Rampukar Chaurasiya
Resident of Village- Khalishpur, P.S.- Sarairanjan, District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 18-06-2020

The matter has been heard *via* video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Pankaj Kumar, learned counsel for the petitioner and Mr. Nirmal Kumar Sinha, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner is in custody in connection with Sarairanjan PS Case No. 73 of 2019 dated 12.05.2019 instituted under Section 302 of the Indian Penal Code.

4. The allegation against the petitioner is that he had killed his mother with *fasuli* (sharp edged weapon).

5. Learned counsel for the petitioner submitted that he has been falsely implicated due to family dispute. It was further submitted that only on suspicion his name has been taken and that he has not committed the crime as it cannot be believed that



a son would kill his own mother. Learned counsel submitted that he is in custody since 13.05.2019.

6. Learned APP, from the case diary, submitted that the informant, who is an eye witness, is the wife of the younger brother of the petitioner and that reason for the crime has been well explained in the FIR itself inasmuch as, the petitioner was forcing the deceased to give money from what she had got after selling some land, which the deceased had refused on the ground that since nobody had been taking care of her, she needed money to support herself. Learned counsel further submitted that witnesses have supported the prosecution story. It was submitted that the postmortem report also shows multiple injuries caused by sharp edged weapon on the neck and other vital parts of the body which fully corroborates the FIR story.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

8. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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