

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15314 of 2020

Arising Out of PS. Case No.-190 Year-2019 Thana- HATHAURI District- Muzaffarpur

RAMESH RAI @ DHOLAN RAI @ RAMESH RAY Son of Rambabu Ray
Resident of Village - Karmania @ Bhusahi, P.S.- Bochahan, District -
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Adv.
For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-09-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Hathauri P.S.
Case No.190 of 2019 registered under Sections 302, 201 and 34
of the Indian Penal Code.

The informant in gist alleged that Ram Jatan Rai,
Ramesh Rai @ Dholan Rai(the petitioner) and four unknown
persons came to his darwaza and took his grandson(Rajnish
Kumar) on the pretext of seeing fair but his grandson did not
return. After 2-3 hours, the informant came to know that they
took his grandson for the marriage with the daughter of Ram
Jatan Rai. The informant and others went to the house of Ram
Jatan Rai but the accused persons assaulted the informant and
others who had accompanied the informant. On 10.10.2019, the
dead body of his grandson was recovered.

The learned counsel for the petitioner submits that
petitioner is innocent and he has committed no offence. The
petitioner has falsely been implicated in the case on account of



previous enmity. There is no eye witness of the occurrence. Petitioner has got no manner of concern with Ram Jatan Rai. The informant did not disclose the date of occurrence when the petitioner and others took his grandson but the informant disclosed the date when the dead body of his grandson was recovered. During the course of investigation, the witnesses have given a different story about the death of the deceased but it appears that petitioner is named in the F.I.R. and there is specific allegation that petitioner and Ram Jatan Rai with the help of four unknown persons took the deceased with them on the pretext of seeing fair but they took the deceased to the house of Ram Jatan Rai for solemnising marriage with the daughter of Ram Jatan Rai. When the deceased did not agree to marry, the accused persons are alleged to have killed the grandson of the informant.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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