

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28370 of 2020

Arising Out of PS. Case No.-38 Year-2020 Thana- JAMALPUR District- Munger

BITTU KUMAR DAS S/o Shankar Das Resident of Village-Chhoti
Keshopur, P.S.-Jamalpur, District-Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-11-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Jamalpur P.S. Case No. 38
of 2020, registered for the offence punishable under Sections
324, 307, 504, 506 and 34 of the Indian Penal Code. Later on,
section 302 of the IPC was added.

As per the prosecution case, on 02.03.2020, this
petitioner along with other co-accused came at the house of
informant and enquired about her husband. The informant said
that her husband was at his shop. The informant further alleged
that thereafter, she followed the accused persons and when she
reached at Hira Lal Chowk, she saw that both the accused



persons inflicted dagger blow upon her husband, as a result of which her husband got severely injured. Thereafter, the informant carried her husband to the hospital and during treatment her husband died.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case due to previous enmity. There is no specific overt act against this petitioner. The main culprit is co-accused Ranjit who is alleged to have abducted the niece of informant for the purpose of marriage. Petitioner has no concern with Ranjit. Petitioner is in custody since 03.03.2020 having no criminal antecedent as stated in para 3 of the bail petition.

Learned APP however, vehemently opposed the prayer for bail and submitted that there is specific and direct allegation against this petitioner that he caught hold husband of the informant and co-accused stabbed dagger in the stomach of informant's husband, as a result of which intestine came out and during course of treatment he died.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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