

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14540 of 2021**

Arising Out of PS. Case No.-69 Year-2019 Thana- BHAWANIPUR District- Purnia

MD TASIR S/O Md. Mubarak Resident of Village - Nirpur, P.S. - Dhamdaha,
District - Purnea.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. N. K. Agarwal, Sr. Advocate
	:	Ms. Preety Kunwar, Advocate
For the Opposite Party/s	:	Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

7 21-09-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned senior counsel for the petitioner, Mr. Rajendra Singh, learned A.P.P. for the State as well as I.O. of the case.

Petitioner in the present case is seeking regular bail in connection with Bhawanipur P.S. Case No. 69 of 2019 registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code. He is in custody in connection with this case since 04.09.2020.

Learned senior counsel for the petitioner submits that it is a case of false implication of the petitioner, there is no eye-

witness to the alleged occurrence and from the statements particularly those recorded in paragraph '49' and '51' of the case diary it would appear that there is no cogent material against the petitioner. The I.O. came to know about four-five months after the recovery of dead body that the deceased along with her son was taken away by this petitioner.

On the other hand, learned A.P.P. for the State as also the I.O. of the case have brought to the notice of this Court that the dead body of the deceased was identified by the father-in-law of this petitioner who had made statement under Section 164 Cr.P.C. saying that his son-in-law had solemnised two marriages and he had come to his father-in-law's place with both his wives. The first wife is the daughter of the father-in-law who has deposed under Section 164 Cr.P.C. The father-in-law has said that this petitioner had taken away his second wife (deceased) on the pretext of showing her *mela* but the petitioner later on returned alone and on asking by his father-in-law where the second wife had gone, he had disclosed that she had gone to her *maike*.

This Court has been further informed that the victim has been identified as one Laliya Devi who was married to one Bhim Uraon and the mother of the victim has disclosed that her

damad had gone with Lalilya Devi to Amritsar with this petitioner for doing labour work from where the petitioner took away the daughter and the minor child. She claimed that the petitioner has killed her daughter.

Considering the facts and circumstances of the case, statement of the father-in-law of the petitioner and that of the mother of the deceased and further that the minor boy has not yet been recovered, this Court is not inclined to release the petitioner on bail. Prayer for bail is thus refused.

Let the trail be expedited.

(Rajeev Ranjan Prasad, J)

Rishi/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.