

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16452 of 2021

Arising Out of PS. Case No.-55 Year-2017 Thana- DURAULI District- Siwan

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RATNESH PATHAK @ RATNISH PATHAK Son of Bhirgunath Pathak
Resident of Village- Narauli, P.S. Darauli, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv.

Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 21-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has renewed his prayer for bail in a case registered under sections 304B and 34 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant was killed by the accused persons including the petitioner herein by pressing her neck.

It is submitted by learned senior counsel appearing for the petitioner that the petitioner has been falsely implicated in the case only because of his relationship of being husband of the deceased. He is innocent. There is no allegation of cruelty or any brutality against the deceased. It was due to other reason



that the wife of the petitioner committed suicide which has been practically accepted by the doctor who was examined as a prosecution witness in the trial, that the injuries found may be possible as a result of suicide. The petitioner is in custody since 19.8.2019 and has no criminal antecedent.

Heard learned A.P.P. for the State.

The earlier application for bail of the petitioner was rejected vide order dated 27.5.2020 passed in Cr. Misc. no.70496 of 2019. The allegation of the daughter of the informant being killed by strangulation is supported by the post-mortem report which was conducted by a medical board consisting of 4 doctors and which has been proved by the prosecution witness no.1.

In the facts of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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