

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21328 of 2021**

Arising Out of PS. Case No.-181 Year-2020 Thana- AAJAM NAGAR District- Katihar

Shankar Ram, Son Of Suresh Ravidas Resident Of Village- Manik Nagar,
Kushaha, Tola, P.S.- Azamnagar (salmari O.P.), District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra- Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 15-12-2021 Heard the learned Advocate for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Sessions
Case No.194 of 2020 arising out of Azamnagar (Salmari O.P.) P.
S. Case No.181 of 2020, instituted for the offences under
Section 302 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 21.07.2020, he is a person with
clean antecedent, charge-sheet has been submitted in this case
and the trial is going on.

The learned counsel for the petitioner further submits
that from perusal of the allegation as alleged in the F.I.R., it
would manifest that the informant alleges that her daughter was
married to petitioner about 14 years ago and on 19.07.2020, he



got information that her son-in-law (petitioner) took her daughter to Salmari on an auto and while returning, killed her by assaulting repeatedly by sharp edged weapon. It is further alleged that petitioner suspected illicit relationship of the deceased with some other person.

The learned counsel for the petitioner submits that from perusal of the F.I.R., it would manifest that the informant himself discloses that the petitioner was having illicit relationship with other persons as a result of which, the present occurrence might have been committed by the persons, who were having illicit relationship with her as it has come in the case diary that she was having illicit relationship with more than one person. The learned counsel further submits that after 14 years, the petitioner could not have committed the occurrence.

Learned A.P.P. vehemently opposes the bail application and submits that during the course of investigation in Paras-19, 36, 37 and 38 of the case diary, it has come that the deceased was having illicit relationship with more than one person in absence of the petitioner and he used to work in Delhi for earning his livelihood. The learned A.P.P. further submits that when the petitioner came to know about the illicit relationship of the deceased with other persons, he got infuriated



that he committed the occurrence in such diabolic manner and it is submitted that when a person is enraged then only an occurrence of this nature is committed and the petitioner had reasons for committing the occurrence.

Considering the fact that the petitioner is the husband of the deceased and there is allegation against him in the F.I.R. of killing his wife on account of the fact that she was having illicit relationship as alleged in the case diary and it has come during the course of investigation, the Court is not inclined to enlarge the petitioner on bail.

Accordingly, the prayer for bail of the petitioner stands rejected.

(Satyavrat Verma, J)

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