

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31133 of 2021**

Arising Out of PS. Case No.-222 Year-2020 Thana- BATHNAHA District- Sitamarhi

RAM ADHAR SAH Son of Rambir Sah Resident of Village - Serisia, P.S.-
Bathanaha, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Pranav Kumar

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

2 25-11-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks bail in connection Bathanaha P.S. Case
no. 222 of 2020 registered for the offence punishable under
sections 304B and 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that from
bare perusal of the allegation as alleged in the FIR, it would
manifest that the informant who is mother-in-law of this
petitioner has instituted this case alleging that marriage of her
daughter was solemnized with this petitioner in the year 2015
and thereafter she gave birth a female child and after birth of
female child she was subjected to torture and demand of
motorcycle started which could not be fulfilled on account of
poverty and after lock down when husband of the deceased



came to his native village, father of her son-in-law demanded Rs one lac for opening a shop which was refused. Thereafter on 20.3.2020 informant had talked with her daughter but her mobile was snatched by accused and she was not allowed to talk. It is further alleged that villager of her matrimonial home informed that her son-in-law Ram Adhar Sah stabbed her and thereafter all accused persons killed her after chopping her neck and disposed of the dead body hurriedly. Accordingly, FIR was instituted.

Learned counsel for the petitioner further submits that the petitioner is husband of the deceased and he is innocent and has been falsely implicated in this case. He further submits that father-in-law of petitioner had participated in funeral and he is not willing to implicate the petitioner and his family members but mother-in-law of the petitioner instituted the present case.

Learned APP vehemently opposed the prayer for bail and submitted that allegation as alleged in the FIR is heinous in nature, the manner in which deceased has been killed appears to be barbaric though no one had seen the occurrence. Learned APP submits that petitioner is husband of the deceased and as far as submissions of learned counsel for the petitioner that father of the deceased participated in the funeral has not come



forward during course of investigation considering that his wife has falsely implicated the petitioner. It appears that petitioner has managed the police and police for the reason best known did not record the statement of father of the deceased.

Considering the facts that petitioner being husband of the deceased is in jail custody since 27.10.2020 and marriage was solemnized in the year 2015, this court is not inclined to enlarge him on bail and accordingly, his prayer for bail is rejected.

(Satyavrat Verma, J)

s.hassan/-

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