

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 29085 of 2020**

Arising Out of PS. Case No.-329 Year-2019 Thana- HUSSAINGANJ District- Siwan

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KAMESHWAR RAJBHAR Son of Shiv Prasad Rajbhar Resident of Village -
Khanpur Khairahi, P.S. - Hussainganj, District - Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Bijay Prakash Singh, Advocate
For the Opposite Party/s : Ms Veena Rani, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 08-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Hussainganj Police
Station (for brevity *PS*) Case No 329 of 2019 instituted for the
offence punishable under Sections 302, 201, 120B/34 of Indian
Penal Code.

It is the prosecution case that the informant's son had
solemnized an inter-caste marriage and the in-laws were
nurturing grudge for the same.

Learned counsel for the petitioner submits that the
prosecution has been launched belatedly on 23.12.2019, though
the victim is said to have left the house on 19.12.2019. Other
than suspicion, there is no material to even suggest the



petitioner's involvement. It is further submitted that the petitioner is in custody since 08.03.2020 and he bears a clean past.

Learned APP for the State has submitted that the post mortem report had found several ante mortem injuries. The death is on account of asphyxia due to strangulation. During investigation, the victim's wife has stated about the petitioner being hostile towards the victim on account of inter-caste marriage.

Considering the rival submissions, this Court, for the present, is not inclined to allow the prayer for bail. The same is rejected.

(Madhuresh Prasad, J)

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