

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31670 of 2020**

Arising Out of PS. Case No.-75 Year-2019 Thana- JAGDISHPUR District- Bhagalpur

Pramod Das @ Pramod Kumar Das, Son of Banarshi Das, Resident of Village
- Tarchha, Police Station - Goradih, District – Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar, Advocate.

For the Opposite Party/s : Mr. A.M.P. Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 18-01-2021 Heard learned counsel for the petitioner and the
learned A.P.P. appearing for the State.

The petitioner is accused in connection with Jagdihshpur (Goradih) P.S. Case No. 75 of 2019, Sessions Trial No. 496 of 2019, registered under Sections 147, 148, 149, 341, 342, 323, 452, 302 and 201 of the Indian Penal Code, pending in the court of XIth Additional Sessions Judge, Bhagalpur.

The accusation is that informant, Suryadeo Kumar, along with his father, Promod Das (petitioner) and other family members were present at his house in the late evening of 01.03.2019. At that time, Tripurari Das, Bijay Das, Puro Das, Sochit Das, Karu Das and Pagla Das came and forcibly took her mother and locked him in a room. Thereafter, his mother was



assaulted by them, in which, his father, Promod Das (petitioner) also participated in the said occurrence. On 02.03.2019, when the lock of the door was opened then informant, Suryadeo Kumar, reached at the house of his maternal uncle at village Mirjachack and informed about the said occurrence. Thereafter, he along with his maternal uncle searched his mother but no trace was found.

Learned counsel for the petitioner Submits that, in fact, petitioner, who is the husband of the deceased and father of the informant has falsely been implicated in this case at the instance of brother-in-law of the petitioner. Further submission is that, in fact, on the period of occurrence, petitioner was at Delhi for his livelihood and on knowing about the incident, he came at his house on 05.03.2019 and thereafter, he was apprehended by the police. Further submission is that petitioner has no criminal antecedent and is in custody since 02.04.2019.

Mr. A.M.P. Mehta, learned Additional Public Prosecutor appearing for the State opposed the prayer for bail of the petitioner with submission that informant, Suryadeo Kumar, who is the son of the informant, has supported the allegation, as made in the FIR and the dead body of the mother of the informant and wife of the petitioner was recovered by the police



at village Ashimpur Bahiyar on 07.03.2019.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, his prayer for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

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