

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5044 of 2021

Arising Out of PS. Case No.-807 Year-2020 Thana- MADHAURAH District- Saran

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Raju Ram Son Of Late Chandrika Ram Resident Of Village - Pakaha
(Marhowrah), Behind High School, P.S. - Marhowrah, District - Saran At
Chapra ... Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Dewendra Narayan Singh, Advocate

For the Opposite Party : Mr. Madhuranand Jha A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-06-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in Marhowrah Police
Station Case No. 807 of 2020 registered for the offences
punishable under section 302 of the IPC.

As per the prosecution case, on 15.9.2020 at about 7
am husband of the informant had gone to his stall of repairing
shoes and slippers and at about 11 am she received information
that co-villager Raju Ram, this petitioner, has stabbed her
husband with knife and he has been taken to hospital. Upon this,
informant rushed to Madhaura Hospital, where she saw that
necks of her husband was cut and he was dead.

Learned counsel for the petitioner submits that in fact
on the fateful day informant's husband was in drunken state and
accidentally fell down on some pointed object and received
injury which proved fatal to him. Informant is not the eye
witness of the occurrence. He has got clean antecedent as stated
in paragraph 3 of the bail petition. Petitioner is in custody since
18.9.2020.

Learned counsel for the State opposes the prayer for



bail and submits that there is specific allegation against the petitioner that he gave knife blow on the left side of neck of the informant's husband which fact has also been mentioned in the inquest report, contained in paragraph 2 of the case.

Considering the rival submissions of the parties, materials available on the record and the fact that there is specific allegation of stabbing the deceased with knife against the petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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