

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24135 of 2021

Arising Out of PS. Case No.-226 Year-2017 Thana- KURSAILA District- Katihar

Indarjeet Sah @ Indrajeet Kumar Sah Son Of Shravan Sah R/O Village- Indra
Gram, P.S.- Kursela, District- Katihar.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 09-02-2022 Heard the parties through video conferencing.

Heard Sri Bhola Prasad, learned counsel appearing on
behalf of the petitioner and Sri Abhay Kumar, learned A.P.P. for
the State.

Let the defect (s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 28.12.2017,
seeks regular bail in connection with S.Tr. No. 330/2018 arising
out of Kursela P.S. Case No. 226/2017, for the offence
punishable under Section 304(B) of the Indian Penal Code.

The prosecution case, in brief, is that the petitioner
was found in a locked room on 27.12.2017 alongwith his wife
by his mother who is the mother-in-law of the deceased. The
mother in law of the deceased gave an information to the

informant when they saw the dead body of the victim. The postmortem report reveals that the deceased was strangled to death.

Learned counsel for the petitioner submits that he has committed no offence. The death is caused due to asphyxia and he is languishing in custody since 28.12.2017.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner and submits that immediate cause of death of deceased is asphyxia due antimortem throttling and certain part of the body where bruise was found and the petitioner alongwith deceased was found in room which was locked from inside as such, the bail application of the petitioner be rejected.

Considering the above mentioned facts and circumstances of the case as well as from perusal of the F.I.R. and the case diary, from which it appears that prima facie case is made out against the petitioner, who has murdered his wife by strangulating her and considering the gravity of allegation, I am not inclined to release the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected.

It is expected of the Court below to conclude the trial expeditiously.

If the petitioner so advised may renew his prayer for
bail, if no substantial progress takes place in the trial.

(Purnendu Singh, J)

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