

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38023 of 2021

Arising Out of PS. Case No.-209 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

JITAN RAM S/O SAGAR RAM R/O VILLAGE DHADHANIYA, P.S-
BHABUA, DISTRICT-KAIMUR AT BHABUA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 12-05-2022 Heard Mr. Rajani Kant Pandey, learned counsel for

the petitioner and Ms. Pushpa Sinha, learned Additional Public

Prosecutor for the State.

Petitioner seeks regular bail in connection with
Bhabhua PS Case No. 209/2019 registered for the offence
punishable under Sections 302, 201/34 of the IPC.

Petitioner was having illicit relationship with another
lady which was being protested by his wife (deceased) and due
to that protest, the petitioner has killed his wife and disposed her
dead body stealthily.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and he has not
committed any offence in the manner alleged. He next submits
that none of the witnesses has supported the prosecution story



and the informant and other family members participated in the funeral of the deceased.

On the other hand, learned counsel for the State, referring to the case diary, submits that the daughter of the deceased, namely, Rinki Kumari has stated that her mother was being tortured and assaulted by the petitioner and on the fateful day, she was assaulted and her dead body was disposed.

This Court *vide* order dated 11.04.2022 had called for a report from the court of Additional Sessions Judge-XI, Kaimur at Bhabhua regarding stage of Sessions Trial No. 66/2020 and in pursuance thereof, a report from the said court has been received *vide* Letter No. 24/2022 dated 13.04.2022. From perusal of the said report, it appears that out of eleven witnesses, four of them have been examined and the remaining seven witnesses are yet to be examined.

Regards being had to the submissions made by the parties and taking into consideration the nature of the allegation and the statement of the witness, it appears that there is *prima facie* evidence against the petitioner. Accordingly, I am not inclined to grant regular bail to the petitioner at this stage. The same is, hereby, dismissed.

However, the petitioner, if so advised, may renew his



prayer for bail after six months from today, if the trail does not
record any substantial progress.

(Anil Kumar Sinha, J)

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