

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31531 of 2022

Arising Out of PS. Case No.-253 Year-2021 Thana- AAJAM NAGAR District- Katihar

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BECHAN RISHI S/o Anuplal Rishi @ Chaman Rishi Resident of Village-
Dahura Tola, Palsa, P.S.- Ajamnagar, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Adv.

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-08-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for

the offence under Sections 302 of the Indian Penal Code and

Section 3 and 4 of the Daain Act.

The wife of the informant is assaulted by way of

axe on her head due to which she sustained grievous injury

and died.

Learned counsel appearing for the petitioner

submits that the petitioner, who is of clean antecedent, is

innocent and has falsely been implicated in this case. He

further submits that though there is allegation of repetition

of axe blow on the head of the wife of the informant, but



according to the postmortem report, only one external injury just above the forehead caused by a sharp cutting object is found, therefore, the accusation alleged in the F.I.R. does not get support from the postmortem report. He further submits that the informant does not claim to be the eye witness of the alleged occurrence. He further submits that charge-sheet has been submitted against the petitioner and there is no allegation of tampering with the witnesses against the petitioner. The petitioner is rotting in judicial custody since 17.10.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that it is case of murder of woman declaring her as Diaan which is totally an antisocial and heinous act committed by the petitioner. He further submits that the petitioner is the sole assailant who is said to have inflicted axe blow on the head of the wife of the informant and that too has been supported by the postmortem report itself. Hence, the petitioner does not deserve to be enlarged on bail.

Considering the facts and circumstances of the case and the nature of offence and the manner of accusation against the petitioner, this Court is not inclined to grant the



privilege of bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

However, learned trial court is directed to expedite the trial.

(Rajesh Kumar Verma, J)

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