

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56279 of 2021

Arising Out of PS. Case No.-33 Year-2021 Thana- KASMA District- Aurangabad

Uppu Rajak Son of Dewan Rajak Resident of Village - Aapki, P.S.- Kasma,
District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-02-2022 Heard Shri Yogesh Chandra Verma, learned senior
counsel for the petitioner and Shri Rajendra Nath Jha, learned
A.P.P. for the State.

The petitioner seeks bail in connection with Kasma
P.S. Case No. 33 of 2021 instituted for the offences under
Sections 498A, 304B, 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 25.04.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the
informant alleges that his daughter (deceased) was married to
the petitioner in the year 2013 and the petitioner and his family
members were demanding motorcycle and money, further a
reconciliation was arrived at through women helpline and the



deceased went to her matrimonial home but she was killed along with her minor daughter within 15 days of going to her matrimonial home.

Learned senior counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that the deceased along with her daughter was killed by the petitioner and his family members and it is submitted that no father or grandparents would kill their own grandchild. It is further submitted that the deceased was a sentimental and a sensitive lady and on account of dispute she committed suicide by setting herself ablaze along with the child.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that presently the case has been instituted under Sections 304B and 302 of the I.P.C. and charge-sheet also has been filed under the said Sections. Learned A.P.P. further submits that even presuming what has been submitted by the learned counsel for the petitioner is true, then also it is a fact that the deceased along with the child has died, that in itself demonstrates that the atmosphere in the house was such that the deceased was not able to bear the same and hence took the extreme step, though in the F.I.R. the allegation is of killing of the deceased and the



child by the petitioner and his family members.

Considering the submissions made by the learned
A.P.P. for the State, the Court for the present is not inclined to
grant bail to the petitioner who is the husband of the deceased.
His prayer for bail is thus refused.

(Satyavrat Verma, J)

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