

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58946 of 2021

Arising Out of PS. Case No.-203 Year-2021 Thana- ITARHI District- Buxar

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VIJAYANT SINGH S/o LAXAMAN SINGH R/o VILLAGE-
GOPINATHPUR, P.S- ITARHI, DISTRICT-BUXAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohit Shriwastava, Adv.

For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Itarhi P.S.
Case No. 203 of 2021 instituted for the offences under Sections
302 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 02.07.2021 is a person with clean
antecedent, charge-sheet has been submitted in the case and the
informant alleges that the petitioner married his daughter two
years ago and from the wed lock a girl was born, further that the
petitioner was married from before and had three children from
the first marriage and the petitioner after the death of his first
wife married the deceased. It is further alleged that the deceased
on 30.06.2021 disclosed that accused persons including the



petitioner have assaulted her, further on 01.07.2021, informant received information telephonically that his daughter was beaten to death to sharp edged weapon.

Learned counsel for the petitioner submits that no doubt, the petitioner married for the second time with the deceased but then he also had a child out of the wed lock which amply demonstrate that the relationship between the deceased and the petitioner was cordial. It is further submitted that the children from the first marriage were unhappy with the deceased for marrying the petitioner, as a result of which, dispute arose within the house for which the deceased even used to complain but she never complaint against the petitioner, as would be evident from paragraph- 5 & 6 of the case diary, where the statement of the informant and his son has been recorded, who have stated before the police that the deceased used to complain to them that the family members of the petitioner including his father were unhappy with her for marrying the petitioner. Learned counsel for the petitioner, thus, submits that since the relationship between the petitioner and the deceased was cordial as such, there appears no reason why the petitioner would have killed the deceased. It is further submitted that after investigation, the police submitted charge sheet against the



petitioner and his son.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that the allegation as alleged in the First Information Report is that this petitioner married the deceased and she was found dead and had sharp cutting injuries. It is thus, submitted that since the death took place within the confined of the house and the injuries inflicted were sharp cutting, as such, the petitioner cannot run away from his responsibility for the present to submit that he was not involved in the occurrence. It is further submitted that it was the duty of the petitioner to ensure the well being and safety of the deceased if his family members were against her.

Considering the submission made by the learned APP for the State, I am not inclined to grant bail to the petitioner. It is, accordingly rejected.

(Satyavrat Verma, J)

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