

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80 of 2022

Arising Out of PS. Case No.-207 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

Raj Kumar Sah Son of Late Posan Sah @ Polan Sah, Resident of Village-
Karrakh, P.S.- Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-12-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Town P.S. Case No. 207 of 2021 arising out of Sessions Trial
No. 477 of 2021, lodged under Sections 302, 201, 120(B) of
the Indian Penal Code.

As per prosecution case, the informant has received
information from his maternal grand-son and they disclosed
that thier father is assaulting the mother. Informant
immediately reached there and found that her daughter is not
in a conscious stage and his grand-sons were weeping lying

down on the body of their mother. He also states that during treatment his daughter died and subsequently they tried to burn the body of the daughter of informant but from naked eye, it appears that there are injuries in the body, by which it is clear that the petitioner has killed her daughter by brutal assault, thereupon the present F.I.R. has been lodged.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that this occurrence is of 28.02.2021 but the F.I.R. has been lodged on 13.03.2021. He also submits that the cause of death is due to cardiac arrest. Learned counsel for the petitioner further submits that petitioner is in custody since 14.03.2021 and the antecedent of petitioner is clean.

Learned counsel for the State vehemently opposes the prayer for bail and submits that from the inquest report, it is clear that there are multiple injury found on the body of deceased. He also submits that there is independent witness who have categorically disclosed in paragraph no.12 of the case diary that the husband use to torture and assault the deceased brutally and only due to said assault the deceased died.

In the present facts and circumstances of this case

and the submissions made above, I am not inclined to grant bail to the petitioner, therefore, his bail application is hereby rejected.

(Dr. Anshuman, J.)

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