

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9194 of 2023

Arising Out of PS. Case No.-40 Year-2021 Thana- BEUR District- Patna

SANTOSH KUMAR SON OF SRI GANESH RAM R/O VILLAGE-
ALIPUR, P.S.- BEUR, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 25-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 14.06.2021, in connection with Sessions Trial No. 430 of 2022 arising out of Beur P.S. Case No. 40 of 2021, G.R. No. 758 of 2021 F.I.R. dated 24.01.2021 registered for the offences punishable under Sections 304B, 201, 120B, 34 of the Indian Penal Code.

3. Allegation against the petitioner is that he along with other co-accused persons have committed the murder of the deceased and disposed of the dead body without informing the family members of the deceased as well as the police.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case only on the ground that the



petitioner is the husband of the deceased. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and co-accused persons namely Ganesh Ram and Subhuwati Devi @ Subhauti Devi who happens to be the mother-in-law and father-in-law of the deceased has been granted bail by a Coordinate Bench of this court vide order dated 23.09.2022 passed in Cr. Misc. No. 37894 of 2022 and another co-accused Sanni Ram who is brother-in-law of the deceased has been granted bail by a Coordinate Bench of this Court vide order dated 09.12.2022 passed in Cr. Misc. No. 45315 of 2022 respectively.

5. Learned APP for the State, on the other hand, on the basis of material available on record and the case diary, vehemently opposed the prayer for bail and submits that it has come during investigation that the petitioner and other co-accused persons have committed the murder of the deceased and disposed of the dead body of the victim without informing the family members of the deceased as well as the police and the petitioner is husband of the deceased so he he is the main assailant of the present occurrence.

6. Considering the aforesaid facts that there is direct allegation against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 430 of 2022 arising out of Beur P.S. Case No. 40 of 2021, G.R. No. 758 of



2021 pending in the Court of Additional Sessions Judge-XVIII,
Patna.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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