

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35233 of 2023**

Arising Out of PS. Case No.-572 Year-2022 Thana- FATUA District- Patna

=====

RANJIT PRASAD @ RANJIT KUMAR SON OF MUNNI SINGH  
RESIDENT OF VILLAGE- NASIRPUR BALWA, P.S.- FATUHA, DIST.-  
PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Ram Naresh Ray, Advocate  
For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      29-08-2023                      Heard the parties.

The petitioner is in judicial custody in connection with Session Trial No. 256 of 2023 arising out of Fatuha P.S. Case No. 572 of 2022 for the offence punishable under Sections 302/34 of the Indian Penal Code lodged on 10.8.2022 by the informant, Ramsurat Prasad.

As per the prosecution story, the allegation is that the informant had married his daughter in the year 2014 but she was tortured for dowry. In between, a child also was born out of the said wedlock but on the fateful day, allegation is that they killed his daughter and absconded. The dead body was later brought to Fatua for funeral, followed by the FIR.



The case of the petitioner is that the lady was actually a patient of epilepsy and on the date of occurrence, while on roof of her house, she had epilepsy attack, fell down on the ground, was being taken for treatment but died midway.

The further submission is that at no point of time, there had been any assault and is in custody since 22.8.2022 (para-14 of the petition).

In this case, case diary was called for by an earlier bench which has been received.

Learned APP has opposed the prayer stating that one of the witnesses has made statement that he had heard the couple fighting. Later, came to know about her death. The statement of the witnesses has been recorded in para-18 of the petition.

Having gone through the facts of the case and the material on record, the petitioner has not brought any single chit of paper to show that the lady was suffering from epilepsy, in that background the statement made by one of the independent witness that prior to her death, he had heard the couple fighting, becomes important.

In the aforesaid background, for the present, no



relief can be granted to the petitioner which is accordingly  
rejected.

The trial Court is directed to expedite the trial and  
conclude the same at an earliest.

**(Rajiv Roy, J)**

Ravi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

