

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39396 of 2023**

Arising Out of PS. Case No.-277 Year-2022 Thana- BHAGALPUR KOTWALI District-  
Bhagalpur

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KAILASH SAH son of late Prakash Sah @ Pradeep Sah Village- Maheshi  
Po- Tilakpur Ps- Sultanganj Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Pankaj Kumar  
For the Opposite Party/s : Mr.Abhay Kumar

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      21-07-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor appearing on behalf of the State.

2. The petitioner seeks regular bail in connection with  
Kotwali (Barari) P.S. Case No. 277 of 2022, corresponding  
registered for the offence punishable under Section 302 of the  
Indian Penal Code.

3. As per prosecution, the dead body of the deceased  
was found. On asking, the petitioner who is the husband of the  
deceased did not answer to the query of the informant. It has  
also been alleged that the petitioner used to assault his wife as  
he suspected her character.

4. The petitioner is in custody since 12.04.2022.  
Though the FSL team collected the blue check cotton *Gamcha*,



blood on iron dabia but the FSL team has not got it compared with the blood of the petitioner. This kind of shady investigation lead to the acquittal of the accused.

5. The Superintendent of Police, Bhagalpur is directed to get the investigation done in the proper manner. The petitioner being the husband of the deceased is responsible for the murder of his wife and it was he who has lodged the FIR about the murder of his wife.

6. The prayer of the bail of the petitioner is hereby rejected.

**(Sandeep Kumar, J)**

Ranjeet/-

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