

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45390 of 2023

Arising Out of PS. Case No.-223 Year-2022 Thana- HATHAURI District- Muzaffarpur

Ramkaran Rai @ Rajkaran Rai, Son Of Rajendra Rai, resident Of Village-
Jagarnathpur, Ps- Hathauri, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Advocate

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 04-08-2023 1. Heard the learned counsel for the petitioner and learned APP for the State.
2. This is an application for grant of anticipatory bail in connection with Hathauri P.S. Case No.223 of 2022, registered for the offence under Section 302/34 of the Indian Penal Code.
3. The case of the prosecution, in brief, according to the informant, is that one Kanti Kumari used to live with her maternal grand mother, namely, Ishari Devi, who is the informant of the present case and on the alleged date of occurrence, an altercation had taken in between the grand daughter of the informant and the five named accused persons, including the petitioner



herein, whereafter, the accused persons, including the petitioner herein had abused and assaulted the grand daughter of the informant, resulting in her death.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that a bare perusal of the post-mortem report would show that the deceased has died due to asphyxia, hence the present case is a case of suicide, thus the petitioner is innocent.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case and taking into consideration the materials available on record as also considering the fact that serious allegations have been levelled against the petitioner and other accused persons of having killed the grand daughter of the informant as also the investigation



is still going on, I am not inclined to grant at least the privilege of anticipatory bail to the petitioner herein, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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