

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45587 of 2022

Arising Out of PS. Case No.-179 Year-2021 Thana- AKBARPUR District- Nawada

LALIT RANJAN @ LALI Son of Birendra Singh Resident of Village -
Dudhauri , P.s.- Akbarpur, Distt.- Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv.
	:	Mr. Rajesh Kumar
For the Opposite Party/s	:	Mr. Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 19-01-2023 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with
Akbarpur P.S. Case No. 179 of 2021, G.R. No. 909 of 2021
registered for the offences punishable under Sections 302/34 of
the Indian Penal Code.

As per prosecution case, the informant solemnized
the marriage of her sister (since deceased) with the petitioner
nine years ago and two daughters were born out of their
wedlock. It is further alleged that after marriage the petitioner
used to torture informant's sister and his sister complained the



said facts to the informant and her father several times. Thereafter, the informant and others tried to settle the matter but the petitioner was not ready to settle, therefore, informant's wife made complaint in Mahila Helpline, Sheikhpura but in spite of that the petitioner used to torture his wife and put pressure upon her for birth of male issue. It is further alleged that on 17.03.2021 the informant received information that his sister died, thereafter, the informant with his family members went to her sister's house where he found her dead body and pressing mark of rope on neck of his sister was also found as well as a long plastic rope was hanging with the hook of roof. It is further alleged that just before death on 16.03.2021 at about 07:00 PM his sister talked to cousin Gotani on mobile and told that she was again assaulted and she was threatened that she would be killed before the marriage of brother.

Learned counsel for the petitioner submits that petitioner is in custody since 09.04.2022. Petitioner bears no criminal antecedent. Learned counsel further submits that petitioner is quite innocent and has committed no offence as alleged in the F.I.R. and petitioner being the husband of the deceased falsely implicated in the present case. There is no eye witness to the alleged occurrence. Except suspicion there is



nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. Learned counsel further submits that he got information on telephone which was given by the present petitioner to the family members of the deceased. The marriage is of 9 years and there is absolutely no previous complaint and there was no any case either under Section 498A of IPC and no demand of dowry because the marriage was of nine years back and there were two children from the wedlock of the petitioner and deceased.

The learned A.P.P. for the State and learned counsel for the informant vehemently oppose the prayer for bail of the petitioner and submit that the petitioner is the husband of the deceased and the witness Champa Devi, who is neighbour of deceased, and other neghibourly witnesses in their statement under Section 161 of the Cr.P.C. have supported the story of prosecution with regard to the allegation that petitioner used to assault and torture the victim (since deceased). Learned counsel further submits that postmortem report also suggests and corroborates the prosecution story.

Considering the facts and circumstances of the case, nature of allegation against the petitioner coupled with postmortem report as well as materials available on record I am



not inclined to grant bail to the present petitioner. Accordingly,
prayer for bail of the present petitioner stands rejected.

However, if trial is not concluded within six months
from the date of receipt of the order, the petitioner may renew
his prayer for bail.

(Alok Kumar Pandey, J)

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