

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46967 of 2022

Arising Out of PS. Case No.-32 Year-2021 Thana- CHANDI District- Nalanda

SUDHIR PRASAD @ RAM KRISHNA KUMAR SON OF LATE
DULARCHAND MAHTO R/O VILLAGE- AMRARURA, P.S.-
THARTHARI, DISTRICT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Saurav Anand
For the Opposite Party/s	:	Mr.Raj Ballabh Singh
For the Informant	:	Mr.Ganesh Sharma

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 05-04-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in

connection with Chandi P.S. Case No. 32 of 2021, registered for

the offences punishable under Sections 302 and 120B of the

I.P.C.

As per allegation, the marriage of the daughter of the

informant was solemnized with the petitioner, 19 years prior to

lodging of the FIR. She, along with her husband and parents-in-



law was residing in a rented house. Since inception of the marriage, the petitioner did not behave her in proper way and her daughter used to complain about her husband on telephone. It has also been mentioned that the petitioner had immoral relation with his sister-in-law(*Bhabhi*). Whenever his wife (deceased) protested, the petitioner misbehaved with her. On 21.01.2021, at about 5 am, she got an information that the matrimonial inmates of her daughter had murdered her. She rushed to matrimonial house of her daughter and saw her dead body lying on bed. The informant noticed the mark of injury on the face of the deceased and also blood was oozing from her mouth.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Anju Devi is his widowed *Bhabhi* and it is false to say that he has relations with her, rather after death of his brother, he was discharging his responsibility to maintain his integrity. The petitioner is a person of clean antecedent.

On the other hand, the learned APP has opposed the prayer for bail and submitted that there is specific allegation in the FIR that the petitioner assaulted the victim and his mother. The informant noticed the mark of injury on his face, which is



corroborated by post-mortem report.

The stage of trial has been called for from the learned court below, which shows that after framing of the charges, one witness Sarvesh Kumar has been examined as PW-1 on 13.12.2021, and the witnesses have supported the prosecution version.

In my view, the petitioner does not deserve the privileges for bail. Accordingly, it is rejected.

It is expected that the learned court below shall take every endeavor to dispose of the trial within a period of six months.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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