

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64388 of 2022

Arising Out of PS. Case No.-76 Year-2020 Thana- KURSAILA District- Katihar

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Ajay Kumar Ram S/O Niranjan Das Resident Of - Purani Bazar, Kursela,
P.S.- Kursela, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv.
	:	Mr. Lakshmikanth Sharma, Adv.
For the Opposite Party/s	:	Ms. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 10-04-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned senior counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Sessions Trial No. 167/2020 arising out of Kursela P.S. Case No. 76 of 2020 dated 24.04.2020 registered for the offences punishable under Sections 304(B) and 120(B)/34 of the Indian Penal Code and later on Section 302/34 of I.P.C. was also added.

As per the prosecution, the informant alleged that this



petitioner along with co-accused persons murdered his sister on account of dowry demand.

The main submissions advanced by petitioner's senior counsel are that the petitioner, who happens to be husband of the deceased, has been languishing in jail since 26.04.2020 and during investigation independent persons were examined, who categorically stated before the Investigating Officer that according to their opinion, the deceased committed suicide though in the *post-mortem* report, the cause of death of the deceased has been opined as *Asphyxia* due to strangulation by ligature but on the body of the deceased no any external injury was found, which suggests the factum of suicide having been committed by the victim as if she was murdered then definitely some minor injuries must be present on her body and moreover the petitioner has fair and clean antecedent and in the present time he is facing trial and even in the inquest report, the victim was suspected to have committed suicide.

Learned APP appearing for the State has opposed the bail prayer.

Considering the above submissions and mainly the custody period of the petitioner which is about two years and in the present time the petitioner is facing trial and as per the *post-*



mortem report of the deceased no any external injury except
ligature Mark on her neck was found, in my opinion it is a fit
case for bail to the petitioner. Accordingly, let the petitioner
named-above be enlarged on bail on furnishing bail bond of
Rs.10,000/-(Ten Thousand) with two sureties of the like amount
each to the satisfaction of the Court concerned in connection
with Sessions Trial No. 167/2020 arising out of Kursela P.S.
Case No. 76 of 2020.

(Shailendra Singh, J)

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