

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61982 of 2023**

Arising Out of PS. Case No.-27 Year-2023 Thana- ADHAOURA District- Kaimur (Bhabua)

LAL BIHARI SAH S/O LATE BALCHAND SAH R/O VILLAGE-  
BARDIHA, PS. ADHAURA, DIST. KAIMUR (BHABHUA)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Alka Singh, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      06-12-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Adhaoura P.S. Case no. 27 of 2023 registered under sections 302, 379 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the accused persons which includes his father i.e. the petitioner herein as also his two step brothers killed his mother and hurriedly disposed of her body by cremating the same in Varanasi. He further states that he had given a sum of Rs.2.5 lakhs to his mother to keep the same as he wanted to start a business. His step brothers had threatened him.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case. There is no eye witness to the



occurrence and cause of false implication is evident from the contents of the FIR itself wherein the informant had tried to concoct a story of his giving Rs. 2.5 lakhs in cash to the deceased. It is further submitted that in case there was substance in the allegations and the petitioner was in a hurry to dispose of the body, the same would not have been taken all the way to Varanasi for cremation. The petitioner is in custody since 16.5.2023, has no criminal antecedent and chargesheet has been submitted in the case. He undertakes to cooperate in the trial.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the material on record that has transpired in course of investigation including the contents of the postmortem report wherein injury with hard and blunt object has been found on the body of the deceased together with the petitioner being the husband of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is dismissed.

7. Liberty is granted to the petitioner to renew his prayer for bail on framing of charge.

**(Partha Sarthy, J)**

Bibhash

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