

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64187 of 2023

Arising Out of PS. Case No.-125 Year-2023 Thana- DHANARUA District- Patna

Naulesh Kumar @ Nailesh Kumar S/O Kamlesh Prasad @ Congress R/O
Village- Sevdaha Bigha, P.S- Dhanarua, Distt.- Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kumar Kaushik

For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-10-2023 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in connection with STR No. 777 of 2023 arising out of Dhanarua P.S. Case No. 125 of 2023 for the offence punishable under Sections 147, 149, 341, 323, 307, 302, 120B of the Indian Penal Code and 27 of Arms Act.

3. As per the prosecution case, all the FIR named accused persons including this petitioner called the husband of the informant on mobile phone and assaulted him and later, killed him and threw the dead body.



4. Learned counsel appearing for the petitioner submits that the allegation of causing death of the informant's husband is general and omnibus against this petitioner and no specific overt act has been alleged against him. Petitioner is own brother of the informant. As a matter of fact, informant married with the deceased despite knowing the fact that the deceased was already married and had one daughter from the first wife due to which the petitioner and his family members were unhappy with the informant. It is submitted that as the petitioner opposed the marriage of the informant with the deceased, he has falsely been implicated in this case. As a matter of fact, the deceased died due to road accident and taking advantage of the situation this false and concocted case has been filed.

5. Learned counsel for the State opposes the prayer for bail. He submits that the petitioner is named in the FIR with specific allegation that he and other accused persons assaulted the victim causing his death. Informant in her 164 Cr.P.C. statement has supported the prosecution case. Post mortem report also shows cause of death as hemorrhage and shock due to injury caused over the person of the deceased.

6. Considering the nature and gravity of allegation,



prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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