

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14818 of 2024

Arising Out of PS. Case No.-718 Year-2023 Thana- BODHGAYA District- Gaya

Ajay Singh @ Ajju @ Ajju Singh Son of Late Rajdeo Singh R/o Village-
Kharsot, P.S.- Bodh Gaya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kr. Thakur, Adv.
	:	Ms.Vaishnavi Singh, Adv
For the Opposite Party/s	:	Mr.Jagdhar Prasad, APP
For the Informant	:	Mr. Lalan Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 24-04-2024 Heard learned counsel for the petitioner, counsel for
the informant and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bodh Gaya P.S. Case No.718 of 2023 lodged under Sections
302, 201 and 34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against unknown accused persons against whom the
informant has alleged that his son went at the Tempo stand to
leave his relatives, but not returned. On the next day,
information was communicated to him that dead body is kept
near Ahra. When informant reached there, he found dead body
of his son.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He submits that during investigation on secret information, the police has found one lady, namely, Karuna Devi who has alleged herself to be eye witness of the occurrence and she has disclosed three names including the petitioner for commission of crime of murder.

5. Counsel also submits that case diary has been called for and in the case diary, post-mortem report is attached. From the post-mortem report, there is external and internal injury which are mentioned by the doctor. It is true that there is no external injury found on the body of the deceased. He further submits that in the internal injury, abdominal cavity, chest cavity and swollen on both side of lung are there. Meaning thereby, at the time of death, the deceased was in the contact of water.

6. Counsel further submits that parts of the dead body were sent to FSL Patna for chemical analysis. He further submits that it creates doubt that it may happen that deceased was in contact with the alleged Karuna Devi and the said Karuna Devi has provided poison to him which may be result of cause of death.

7. Learned counsel for the State opposes the prayer for bail.



8. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the said Karuna Devi has categorically stated before the police and the Magistrate under sections 161 and 164 of Cr.P.C. that it is the petitioner along with two persons have killed the deceased in her presence and she has disclosed her narration being eye-witness.

9. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected at present.

(Dr. Anshuman, J.)

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