

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36031 of 2024**

Arising Out of PS. Case No.-57 Year-2023 Thana- MUFFASIL District- West Champaran

Jahir Mian Son of Islam Mian Resident of Village- Rupadiah, P.S- Bettiah  
(M), Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

3      23-08-2024                      Heard Mr. Sanjeev Kumar learned counsel for the  
  
petitioner and Mr. Jitendra Kumar Singh, learned APP  
  
representing the State.

2. The petitioner is in judicial custody in connection  
with with Bettiah Mufassil P.S. Case No. 57/2023 for the  
offence punishable under Sections 341, 323, 324, 307, 379 and  
34 of the Indian Penal Code lodged on 23.01.2023 by the  
informant, Meraz Ansari.

3. As per the prosecution story, the allegation has been  
made in the FIR against unknown of committing murder of the  
informant's brother and throwing the dead body near a 'Bargaj'.  
Subsequently, investigation took place and it was found that the  
lady, wife of the present petitioner was having relationship with  
the deceased and this was seen by the accused persons



whereafter, this petitioner gave blow on the head. Though, there is allegation of assault by other persons also, it proved fatal, whereafter, he was thrown near the ‘Bargaj’.

4. Learned counsel for the petitioner submits that though the lady has made confession before the Police even going by it, it is not the case of the prosecution that any subsequent blow was given, learned APP submits that he has assaulted on the head.

5. In that background, for the present, this Court is not inclined to extend the privilege of bail which is accordingly rejected. Considering the fact that the petitioner is in custody, it is expected that the Trial Court will be taking up the matter seriously so that the matter is taken to its logical conclusion at an earliest.

**(Rajiv Roy, J)**

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