

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35121 of 2024

Arising Out of PS. Case No.-399 Year-2022 Thana- SAKRA District- Muzaffarpur

Indal Ram son of Akalu Ram R/o- Pilkhi Ps- SAKra Dist- Muzaffarpur
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 27-09-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 302, 201, 363/34 of the IPC in connection with Sakra P.S. Case No.399 of 2022.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the instant case by the informant with an allegation that his sister was murdered in the night of 03.08.2022 by the petitioner and other accused persons named in the FIR and the dead body was buried in an orchard and the accused persons have also disappeared his two minor nephews, aged about 12 and 10 years.

4. The learned counsel submits that from perusal of the allegation as alleged in the FIR, it would manifest that the



informant has not disclosed the date of marriage of the deceased with the petitioner. It is further submitted that the marriage was 20-25 years old, as such it does not appear probable that the petitioner would have killed his own wife after such a long period of marriage when in these 20-25 years no case ever came to be instituted either by the deceased or the informant alleging torture.

5. The learned APP, Mr. Chandra Bhushan Prasad opposes the bail application and submits no doubt at para-13 of the bail application it has been pleaded that the marriage was solemnized about 25-30 years, but then from pleadings made at para-8 of the bail application, it would manifest that the dead body of the deceased was taken out by the police which was buried in a ditch. Further, the dead body was without cloths and had mark of injury on neck and eye. Further, the tongue was also protruded.

6. The learned APP submits that had the death been natural then definitely the dead body would not have been buried in an orchard as alleged in the FIR. It is also submitted that this casts an aspersion on the conduct of the petitioner who is husband of the deceased. It is also submitted that even the dead body had marks of injury.



7. Considering the submissions made by the learned APP, the Court is not inclined to release the petitioner on bail, accordingly, the bail application is rejected.

(Satyavrat Verma, J)

Prakash Narayan

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