

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49007 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- SIKRAUL District- Buxar

Ajay Pandey son of Late Rameshwar Pandey Village- Pandeypur PS- Sikraul
Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha 1, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 21-09-2024 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Sikraul P.S. Case No. 45 of 2024, registered
for the offence punishable under Sections 302/34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. The FIR has been instituted on the self statement of
P.S.I, Sikraul P.S. alleging therein, that on an information with
regard to the murder, she reached at the place of occurrence
where the daughters of the deceased disclosed that their mother
is killed by the petitioner and co-accused *Vijay Pandey*. It is
specifically alleged that when the deceased went to attend the
call of the nature, in the meantime, *Vijay Pandey* caught hold
and this petitioner shot her dead.

4. Learned Advocate for the petitioner contended that



the reason behind the said occurrence is obvious for the simple reason that the deceased was a lady of questionable character and prior to the present occurrence, Sikraul P.S. Case No. 25 of 2023, has been registered for the offences punishable under Section 302/34 of the Indian Penal Code wherein the deceased was made accused for the charge of committing murder of her own husband with the aid of her lover. There is every possibility that the murder of deceased may caused by her paramour or other person. It is next contended that during the course of investigation, it has come that the house in which the deceased used to live, there was already a toilet and, as such, the story of going to attend nature's call does not appear to be trustworthy. Moreover, the daughters of the deceased being eyewitness do not inspire confidence and the name of the petitioner has been implicated in this case only on account of a property dispute. The petitioner bears fair antecedent and languishing in custody since 25.04.2024.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that apart from the accusation against the petitioner that he shot fire upon the deceased resulting into her death, he also confessed his involvement in the crime.



6. Regard being had to the submissions made on behalf of the parties and considering the statement of the daughter of the deceased, who made specific nature of accusation of causing firing upon the deceased, leading to her death, this Court is not persuaded to enlarge the petitioner on bail.

7. Accordingly, the prayer for bail of the petitioner stands rejected for present.

8. It is expected that the learned trial Court shall take all endeavours to conclude the trial, expeditiously.

(Harish Kumar, J)

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