

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53998 of 2024

Arising Out of PS. Case No.-372 Year-2023 Thana- DUMRA District- Sitamarhi

Raj Kumar Rai Son of Late Jiya Lal Rai Resident of Vill- Mirchaiya, Ward
No. 2, P.S.- Dumra, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 26-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Dumra P.S. Case No. 372 of 2023, registered on 30.07.2023, for the alleged offences under Sections 376, 302, 201 of the Indian Penal Code.

03. As per prosecution case, the daughter of the complainant/informant died after she was hanged by a tree and subsequently her dead body was cremated. Subsequently, during investigation, the police found the story of the complainant/informant to be false and it further came during investigation that it was the petitioner, the father of the complainant/informant, who murdered the daughter of the informant due to her love affair with one Monu Kumar by



strangling her and cremated her dead body.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The son of the petitioner has lodged the FIR and the police in its highhandedness made the petitioner and his family members accused in the present case. It has also come in the statement of the witnesses whose statement was recorded during investigation that the daughter of the informant died due to snakebite. However, the subsequent witnesses stated about the daughter of the informant being found in compromising position with one Monu Kumar and this petitioner strangulating her and subsequently burning dead body. Thus, it is a case of botched up police investigation and the petitioner, who is 70 years old person, has been made a scapegoat. The petitioner is not having any criminal antecedent and he is in custody since 06.03.2024. Charge-sheet has been submitted.

05. Learned APP for the State vehemently opposes the prayer for bail of the petitioner. Learned APP submits that the witnesses examined during investigation has stated about involvement of the petitioner, who killed his granddaughter being enraged by her indiscretion and burning the dead body. The witnesses also stated that the petitioner lit the pyre. The



learned APP further submits that the petitioner and his family members committed a grave wrong and thereafter falsely implicated a number of persons and this act makes the offence much more serious and it is this petitioner who is instrumental in all these things.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and in the light of specific allegation against the petitioner for causing death of the daughter of the informant, I am not inclined to enlarge the petitioner on bail. Hence, his prayer for bail is rejected.

07. However, the learned trial court is directed to expedite the trial and dispose of the same at the earliest.

(Arun Kumar Jha, J)

Ashish/-

U		T	
---	--	---	--

