

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69250 of 2024

Arising Out of PS. Case No.-6 Year-2016 Thana- BARAULI District- Gopalganj

Jitendra Ram @ Amawas Ram @ Amawas @ Jitendar Ram S/O Late Harihar
Ram R/O Village -Balahan, P.S- Barauli, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 04-12-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner has earlier moved before this Court with a prayer for anticipatory bail which was rejected vide order dated 25.06.2020 passed in Cr. Misc. No. 2929 of 2020.

3. The petitioner seeks bail in connection with Sessions Trial No. 82 of 2024 arising out of Barauli P.S. Case No. 06 of 2016 instituted for the offences under Sections 324, 307, 302/34, 174(A) of the Indian Penal Code.

4. As per prosecution case, the accusation against the accused persons including the petitioner of committing



murder of the Informant's husband by stabbing. It is alleged that when the Informant went there, the co-accused Laddan Ram assaulted on her head with knife causing head injury.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to dirty village politics. There is no direct or specific allegation of assault against the petitioner rather the same is general and omnibus in nature. Both the parties are agnates and the altercation took place due to land dispute. In the entire investigation, nothing has come against the petitioner. The medical report does not support the prosecution case. No blood etc. was also found at the place of occurrence. In this case, there are only interested witnesses who have supported the prosecution case. There also does not appear any motive behind the commission of murder of the deceased. Learned counsel for the petitioner further submits that as a matter of fact, the husband of the Informant was killed by other accused persons because there was illicit relation of other accused with the sister of the Informant. The



allegation of assault to the Informant has specifically been attributed to the co-accused Laddan Ram. The petitioner has no criminal antecedent and is languishing in judicial custody since 22.01.2024 without any rhymes or reason.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that from perusal of the case diary, it appears that the deceased died due to injury caused by sharp edged weapon corroborating the statement made in the F.I.R. by the Informant. The Informant has also suffered knife injury. The postmortem report and the inquest report also corroborate the allegation made in the F.I.R. The I.O. after completion of investigation has submitted charge-sheet against the petitioner under Sections 324, 307, 302, 174A of the I.P.C. Learned counsel for the State further submits that there is direct allegation of assault against the petitioner and, hence, he does not deserve bail.

7. Having heard rival contention of both the parties and considering the nature and gravity of the offence as also the nature of injury supported by the postmortem report, this



Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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