

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75347 of 2024

Arising Out of PS. Case No.-323 Year-2022 Thana- BAISI District- Purnia

Wasim @ Vasim Akaram Son of Late Gulam Shadik @ Md. Gulam Sadiqe
Resident of Village- Sadipur, Bhutaha, P.S.- Baisi, Dist.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that prior to three years of the alleged occurrence, the marriage of the informant's daughter was solemnized with petitioner and both have a son aged about one and a half year. It is further alleged that on 16.08.2022 around 6 P.M., informant's son-in-law Wasim shot informant's daughter Umela Khatoon due to which she died on way to Baisi hospital.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has falsely



been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. There was good conjugal relation between the petitioner and the deceased. His name has been transpired in the present case merely because he is husband of the deceased. From perusal of the FIR, it is evident that the informant is not an eye witness to the alleged occurrence. This is a case of suicide out of family frustration. Learned counsel further submits that petitioner has no role in the alleged occurrence. He has no criminal antecedent as mentioned in para 3 of the bail application and he has been languishing in judicial custody since 06.05.2024.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, the nature of the offence and particularly the fact that petitioner is husband of the deceased, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for bail is rejected in connection with Baisi P.S. Case No. 323 of 2022.

7. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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