

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84228 of 2024

Arising Out of PS. Case No.-148 Year-2024 Thana- KORHA District- Katihar

Rahima Rishi Son of Shiv Narayan Rishi Resident of Village-
Parmanandpur, Ward No. 4, P.S.- Korha, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Ms.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-12-2024 Heard Mr. Ajit Kumar Singh, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection
with Korha P.S. Case No. 148 of 2024 for the offence
punishable under Section 302 of the Indian Penal Code lodged
on 05.06.2024 by the informant, Siken Rishi.

3. As per the prosecution story, the informant alleged
that the petitioner was having quarrel with his wife. To save
herself, she entered the house of a neighbour, the informant. The
further allegation is that the petitioner followed his wife and
after taking the lady to the court yard, gave 'lathi' blow on the
chest which led to immediate death of the informant's mother.
The locals who rushed to the place of occurrence caught hold of
the petitioner and handed over to the Police. This followed the
FIR.

4. Learned counsel for the petitioner submits that a



perusal of the post mortem report would show that they have not found any external injury and further only after viscera report, the cause of death can be ascertained. It is his case with the help of para-14 that the informant is not the eye-witness to the occurrence.

5. Learned APP on the other hand opposes the prayer submitting that a perusal of the FIR would show that the petitioner took the lady to the court yard and thereafter, gave 'lathi' blow on the chest whereafter, she immediately died of the blow given to her. It is his further submission that petitioner was caught on the spot by the locals whereafter he was handed over to the Police. There is direct allegation against him.

5. Considering the aforesaid submission that has come against him, it is unfortunate that in a small quarrel between the couple, the petitioner extreme steps which resulted into death of an innocent lady, in that background, no relief can be granted to him.

6. The bail application stands rejected.

(Rajiv Roy, J)

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