

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34135 of 2025

Arising Out of PS. Case No.-72 Year-2024 Thana- SARSI District- Purnia

Ajay Kumar @ Ajay Mallah S/o Buttan Mallah R/o Village- Dhokar Dhara,
PS - Banmankhi, Distt- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 02-06-2025 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S.T. No. 438 of 2024 arising out of Sarsi P.S. Case No. 72 of
2024, lodged on 10.04.2024 under Sections 302, 201 and 34 of
the Indian Penal Code.

3. As per the prosecution case, the present F.I.R. has
been lodged against six named accused persons, including the
petitioner, alleging the murder of the informant's daughter, who
was the petitioner's second wife.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has not committed any offence. He
further submits that a bare reading of the F.I.R. clearly indicates
that the case has been instituted against the petitioner and his
family members purely on suspicion, and beyond such
suspicion, there is no substantive material to support the



allegations. It is further submitted that the F.I.R. was lodged after an unexplained delay of two days, despite the fact that it was the petitioner himself who informed the informant about his wife's disappearance. In view of these facts, learned counsel prays for calling the case diary and the post-mortem report for proper appreciation of the matter.

5. Learned counsel for the State opposes the prayer for bail and submits that the learned Sessions Court has already taken note of and discussed the relevant materials from the case diary in its order. He further submits that the *modus operandi* of the crime and the manner in which the deceased's body was disposed of have been elaborately recorded in the case diary, with specific reference to paragraphs cited in the Sessions Court's order sheet.

6. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner. Accordingly, the prayer for regular bail of the petitioner in connection with S. Tr. No. 438 of 2024, pending before the learned 2nd Additional Sessions Judge, Purnea, is hereby rejected.

(Dr. Anshuman, J)

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