

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12001 of 2016

Arising Out of PS.Case No. -55 Year- 2015 Thana -ROSERA District- SAMASTIPUR

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Jitendra Sah @ Jitendra Kumar Sah, Son of Kapil Sah, Resident of Village-
Singhiaghat, P.S.- Bibhutipur, District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Indra Kumar Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 03-05-2016

Heard the learned counsel for the petitioner and the
learned A.P.P representing the State.

The petitioner seeks bail in connection with Rosera
P.S. Case No. 55 of 2015 registered for the offences punishable
under Sections 302, 201 and 34 of the Indian Penal Code.

Shakuntala Devi, the sister of the informant was
married to the petitioner 15 years ago and out of the wedlock,
there are two daughters and one son, allegedly, the petitioner and
the mother-in-law used to assault her and on 10.03.2015
information was given to the informant that his sister went away,
but on enquiry it revealed that the petitioner and other in-laws
after killing her thrown the dead body in the river, Budhi Gandak
and thereafter on search, the dead body of Shakuntala Devi was
recovered on 14.03.2015 and then First Information Report was
lodged.

Submission is of false implication and that the petitioner at the relevant time was not present at the place of occurrence rather he was working as labour at Delhi. The wife of the petitioner had gone away somewhere on 10.03.2015. There is no specific allegation against the petitioner and as such the petitioner suffering in custody since 23.11.2015 deserves sympathetic consideration, to which the learned A.P.P. seriously opposes the prayer of bail by submitting that the petitioner is the husband and the dead body was thrown in the river, Budhi Gandak, during post mortem examination, ligature mark was found over the interior part of the neck and cause of death was asphyxia caused by strangulation.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature, I am not inclined to enlarge the petitioner on bail and accordingly his prayer stands rejected in connection with Rosera P.S. Case No. 55 of 2015 pending in the Court of learned A.C.J.M, Rosera.

(Jitendra Mohan Sharma, J)

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