

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39730 of 2015

Arising Out of PS.Case No. -77 Year- 2015 Thana -BARARI District- KATIHAR

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1. Kundan Kumar Mandal S/O- Shambhu Mandal R/o- Vill.- Parjeli, P.S.-
Barari, Distt:- Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Veena Kumari Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

4 09-02-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 302 and 201 of the I.P.C

Allegedly, the petitioner being husband of the
informant snatched the daughter by claiming that the daughter is
not his daughter and he will kill her and thereafter went away with
the child and accordingly it was claimed that the petitioner after
killing the child has made the dead body traceless. During
investigation the petitioner was apprehended and he confessed his
guilt and on the basis of his confession the dead body of eight
months old daughter of the informant was recovered from a ditch
of bamboo clump.

Submission is of false implication and that the informant has lodged this case being instigated by the enemy of the petitioner but now good sense has prevailed and she has filed compromise petition also and as such the petitioner who is suffering in custody since 09.05.2015 deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that the petitioner has committed heinous crime by killing his daughter and buried her in a ditch.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, heinous in nature, this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Barari (Semapur) P.S. Case No. 77 of 2015 pending in the court of Sri Sunil Kumar No.3, J.M. 1st Class, Katihar.

However, the trial court is directed to expedite the trial and to conclude the same as early as possible preferably within six months.

(Jitendra Mohan Sharma, J)

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