

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37601 of 2016

Arising Out of PS.Case No. -328 Year- 2015 Thana -TURKAULIYA District- EAST
CHAMPARAN (MOTIHARI)

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1. Pancho Devi Wife of Birendra Mahto @ Gurdeli Mahto
2. Khushbu Devi Daughter of Birendra Mahto @ Gurdeli Mahto
3. Birendra Mahto@ Gurdeli Mahto Son of Sitaram Mahto
All Resident of Village - Sapahi Dera, P.S Turkauliya, District East
Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s
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Appearance:

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate.
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-11-2016 Heard both sides

The petitioners seek bail in Sessions Trial No. 343 of 2016, arising out of Turkauliya P.S. Case No. 328 of 2015 registered under Sections 302 and 34 of the Indian Penal Code.

The informant alleged that his son had gone to his Sasural but on the next day the informant got information that his son was killed by his wife, father-in-law, mother-in-law and other persons. Sri Umesh Chandra Verma, learned counsel for the petitioners submits that there is no eye witness of the occurrence. The villagers have simply stated that they heard the sound of quarreling and on the next day morning the dead body of the

deceased was found near the bamboo bush.

Learned A.P.P., however, opposed the prayer for bail.

It appears that the deceased had gone to his Sasural on 27.04.2015 and on the next day his dead body was recovered from the bamboo bush situated by the side of the house of the petitioners, who happen to be the father-in-law, mother-in-law and wife of the deceased. The witnesses have stated that they heard the sound of quarreling in the night.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioners on bail in Sessions Trial No. 343 of 2016, arising out of Turkauliya P.S. Case No. 328 of 2015. Accordingly, the same is rejected.

The trial court is directed to expedite the trial holding the same on day-to-day basis and conclude the trial within nine months from the date of receipt / production of this order.

The Superintendent of Police, Motihari, East Champaran, is directed to ensure the attendance of all the prosecution witnesses in Sessions Trial No. 343 of 2016, arising out of Turkauliya P.S. Case No. 328 of 2015, pending in the court of the learned 4th Additional Sessions Judge, Motihari, East Champaran so that the trial must be concluded within nine months.

If the trial is not concluded within nine months, the
petitioners may renew their prayer for bail.

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(Prabhat Kumar Jha, J)