

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5768 of 2016

Arising Out of PS.Case No. -164 Year- 2015 Thana -BHARGAWAN District- ARRARIA

1. Nageshwar Das Son of Late Mahanthi Das
2. Shyamala Devi Wife of Nageshwar Das Both resident of Village -
Kushmol , P.S. Bhargama , District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Abhay Kr. 1(App)

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

4 01-04-2016 Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

Petitioners seek bail in connection with Bhargama P.S.
Case No. 164 of 2015 registered for the offence punishable under
Section 302/34 of the Indian Penal Code.

Manju Devi, the daughter of the informant was married
to Shravan Das, the son of the petitioners ten years ago and the
husband resides at Punjab to earn his livelihood. In absence of the
husband of Manju Devi allegedly, the petitioners and co-accused
Rajesh Das killed her by cutting her throat with *Dabiya* and fled
away from the house. The deceased was pregnant of six months.

Submission is of false implication and that the

petitioners have got no concern with Manju Devi and her husband, some un-known killed Manju Devi and then her father implicated the petitioners, villagers have filed application in this regard in the Court of District and Sessions Judge, Araria and, as such, the petitioners deserve sympathetic consideration as they are in custody since 22.08.2015.

The learned A.P.P. seriously opposes the prayer of bail by submitting that the witnesses have supported the allegations and after killing the deceased, the petitioners and co-accused fled away from the house. The doctor has also found multiple injuries on her person of the deceased caused by sharp cutting weapon.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature, I am not inclined to enlarge the petitioners on bail and accordingly, their such prayer stands rejected.

However, considering the detention of the petitioners, let the trial be expedited and concluded within a period of nine months.

(Jitendra Mohan Sharma, J)

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