

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47130 of 2016

Arising Out of PS.Case No. -49 Year- 2015 Thana -SAHIYARA District- SITAMARHI

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Pramod Das son of Ram Bali Das, Resident of Village- Matiyar Khurd,
P.S.- Sahiyara, Dist.- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 16-12-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under

Sections-302/34 of the Indian Penal Code.

The informant is not an eye witness of the alleged

occurrence and he came to know about the alleged murder of his

wife from Arati Kumari, who happens to be his daughter. The

statement of Arati Kumari was recorded at paragraph-9 of the case

diary in which, she stated that the petitioner and one co-accused

made her captive in a room and gave threatening at the time of

alleged occurrence.

Submission on behalf of the petitioner is that the

informant has claimed in his fardbyan that he came to know about



the alleged occurrence from Arati Kumari but the informant did not mention the facts as stated by Arati Kumari in course of investigation and, therefore, the aforesaid circumstance goes to show that the statement of Arati Kumari is an afterthought statement.

Considering the above-said facts and circumstances of the case as well as submission of the parties, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Sahiyara P.S. Case No. 49 of 2015 stands rejected.

However, learned trial court should expedite the trial of the petitioner and try to conclude the same as early as possible.

(Hemant Kumar Srivastava, J)

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