

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27758 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -NAGARNAUSA District- NALANDA
(BIHARSHARIFF)

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1. Sukhari Gope, Aged about 35 Years, Son of Late Dev Baran Gope @
Baran Gope, R/o Mustafapur, P.S.- Harnaut, (Telmar), District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-08-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner is languishing in judicial custody since
25.02.2017 in connection with Nagar Nausa P.S. Case No. 07 of
2017 for offences punishable under Sections 302/34 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter Sanju Kumari was married to one Nitish Kumar
in the year 2015 but because she was not good looking, the
petitioner along with his family members used to torture her. She
went to her parental house but on 23.01.2017 the husband of the
deceased along with other co-accused including the petitioner and



4-5 un-named persons came for her *Vidaaigiri* as the mother-in-law of the deceased was sick. It is alleged that on the way, she was killed by the petitioner and other co-accused by knife blow.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and he is not involved in the aforesaid offence. He submits that he is the uncle-in-law of the deceased and he is living separately and has no family affair with the deceased family and that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned counsel for the informant as well as learned APP for the State opposes the prayer for bail stating therein that the petitioner along with other co-accused were instrumental in killing the daughter of the informant, as only after sometime after her *vidaagiri*, on the way, they have killed her and the post mortem report suggests six knife blow in the chest and neck of the deceased.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner and accordingly, such prayer stands rejected at this stage in connection with Nagar Nausa P.S. Case No. 07 of 2017



pending in the Court of Judicial Magistrate, 1st Class, Hisla,
Nalanda.

It is expected that the trial is conducted on day to day
basis and concluded expeditiously.

(Nilu Agrawal, J)

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