

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34286 of 2016

Arising Out of PS.Case No. -238 Year- 2010 Thana -NAUBATPUR District- PATNA

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1. Chhote Manjhi @ Chhotan Manjhi, Son of Pahari Manjhi, resident of village- Nagwan, Police Station- Naubatpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Sri Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 09-02-2017 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 498 (A), 302 and 201/34 of the I.P.C

Allegedly, the petitioner being husband committed murder of his wife on 29.07.2010 and the dead body of the deceased was recovered near Daini river.

Submission is of false implication and that the marriage was solemnized eight years ago, the husband and wife were leading happy conjugal life, out of the wedlock there is a son aged at present about nine years, the petitioner is in custody since 30.06.2015, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.



The learned A.P.P. opposes prayer for bail by submitting that the dead body was recovered near Daini river and the witnesses have supported the prosecution case. According to the postmortem report the deceased Ruby Devi died by head injury.

In the facts and circumstances as stated above, considering the report of A.D.J. 1st, Civil Courts, Danapur wherein it has been stated that out of eight charge sheet witnesses four has already been examined and the trial will be concluded in the next six months and as such at present I am not inclined to release the petitioner on bail and accordingly his such prayer stands rejected in connection with Naubatpur P.S. Case No. 238 of 2010 pending in the court of Sri Kumar Madhvendra, J.M. 1st Class, Danapur, District- Patna.

However, the learned trial court is directed to expedite the trial and to conclude the same preferably within six months, failing which the petitioner, if at no fault, may renew his prayer for bail.

(Jitendra Mohan Sharma, J)

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