

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11143 of 2017

Arising Out of PS.Case No. -106 Year- 2016 Thana -SAHKUND District- BHAGALPUR

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1. Paroki Mandal, son of Dakshini Mandal @ Daxhini Mandal,
2. Kailash Mandal, son of Dakshini Mandal @ Daxhini Mandal, Both
resident of Village- Chandravanpur, P.S.- Shahkund (Sajour), District-
Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh, Adv.

For the Opposite Party/s : Mrs. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 04-04-2017 Heard both sides.

The petitioners seek bail in Shahkund (Sajour) P.S.
Case No. 106/2016 corresponding to Sessions Trial No. 708/2016,
registered for the offences punishable under Sections 302, 120B
and 34 of the Indian Penal Code.

Babita Devi wife of the deceased alleged that her
husband came running and disclosed that both the petitioners slit
his neck with sharp-cutting weapon. Blood was oozing.
Immediately thereafter, her husband fell down on the ground and
became unconscious and died.

Learned counsel for the petitioners submits that from
paragraph 5 of the case-diary, it would appear that the husband of
the informant was sleeping on a cot situated outside the house.



The informant was sleeping in the courtyard. The injury shows that the informant is not able to move after having received such injury on the vital part of the body, but it appears that the informant covered 15-16 ft. and reached to the place where his wife was sleeping and again came back to the same place. The deceased himself disclosed that both the petitioners inflicted him injury on his neck with sharp-cutting weapon.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above-named on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and hold the same on day-to-day basis and conclude the same within one year from the date of receipt of this order. The Superintendent of Police, Bhagalpur is directed to ensure the attendance of all the prosecution witnesses of Shahkund (Sajour) P.S. Case No. 106/2016 corresponding to Sessions Trial No. 708/2016 in the court of seisin, so that the trial must be concluded within one year.

Let a copy of this order be sent to the Superintendent of Police, Bhagalpur and learned trial court for information and needful.

(Prabhat Kumar Jha, J.)

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