

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47574 of 2017

Arising Out of PS.Case No. -217 Year- 2017 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

=====

Sharma Sahani S/o Late Ganesh Sahani, R/o Village- Khajuri, P.S.-
Bhairoganj, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Zainul Abedin, Adv.

For the Opposite Party/s : Mrs. Anita Kumari Singh, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 14-11-2017 Heard the learned counsel for the petitioner learned
counsel for the informant and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
06.05.2017 in connection with Bagaha (Bhairoganj) P.S. Case No.
217/2017 for offence alleged under Sections 302, 201 and 34 of
the Indian Penal Code.

The prosecution case as lodged by the informant is that
she had gone for grazing of goat and while she was returning to
her house she saw that petitioner along with five persons coming
out of her house. When she came inside the house she found her
daughter hanging. Thereafter, the petitioner took the informant
and three children to his house and locked them and disposed of
the dead body. The cause of occurrence is that son of the petitioner
was having love affair with the informant's daughter Guddi



Kumari.

It has been submitted by the learned counsel for petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that charge-sheet has been submitted under Section 306 of the Indian Penal Code and that it was not the case of murder, as there is no eye witness to the alleged occurrence.

However, the learned counsel for the informant opposes the prayer for bail stating therein that the petitioner's son was having love affair with the informant's daughter and a panchayati was held in which both agreed to marry their children, but the petitioner always used to say that this marriage will not be solemnized. The deceased girl was pregnant also. He submits that the dead body was disposed of by the petitioner and other accused. All the evidences have been burnt. The circumstantial evidence suggests complicity of the petitioner in the aforesaid occurrence. It is further submitted that independent witnesses have supported the prosecution story.

Learned A.P.P. also opposes the prayer for bail.

Considering the facts and circumstances of the case, I am not inclined to grant the privilege of bail to the petitioner at this stage.



However, the trial court is directed to conclude the trial expeditiously.

(Nilu Agrawal, J)

Vinita/-

U		T	
---	--	---	--

