

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5755 of 2018

Arising Out of PS.Case No. -169 Year- 2017 Thana -VIJAYPUR District- GOPALGANJ

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1. Durgawati Devi, Wife of Saryug Sah, Resident of Village- Chitauna, P.S.- Vijayipur, P.O.- Chitauna, Dist- Gopalganj.
 2. Sankesiya Devi, Wife of Dharmendra Sah, Resident of Village- Chitauna, P.S.- Vijayipur, P.O.- Chitauna, Dist- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ashish Giri, Advocate.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 20-02-2018 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners seek bail in Vijayipur P.S. Case No. 169 of 2017 registered under Sections 302 and 120(B) of the Indian Penal Code.

Petitioners are said to have committed murder of the four years old son of the informant by slitting his neck and dumped his dead body in the bush.

It is submitted by learned counsel for the petitioners that the petitioners have no concern with the aforesaid occurrence. They have been falsely implicated in the case to grab the property of the petitioners. There is no eye witness of the



occurrence. Moreover, there is no motive behind the occurrence. The petitioners have been languishing in custody since 06.09.2017.

On the other hand, it is submitted by learned counsel for the informant as well as learned APP for the State that the witnesses in Para 54 and 55 of the case diary have immensely stated about witnessing the petitioners taking the deceased towards their house. Numbers of witnesses have also divulged witnessing the petitioners cleaning the blood stained clothes on the hand pump. I.O. has also recovered blood stained clothes from the house of the petitioners.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Prayer for bail of the petitioners is rejected.

However, learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within nine months from the date of commitment of the case.

(Prakash Chandra Jaiswal, J)

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