

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18159 of 2019

Arising Out of PS. Case No.-164 Year-2018 Thana- RIGA District- Sitamarhi

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Sri Narayan Bhagat @ Narayan Bhagat Son of Sonelal Bhagat Resident of
Village - Singhorwa, P.S.- Riga, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 01-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Riga P.S. case No.164 of 2018 registered under Sections 302, 201 of the Indian Penal Code, pending in the court of Sri Rakesh Kumar, learned Judicial Magistrate, 1st class, Sitamarhi.

The prosecution case, in short, is that the informant Rajkaran Thakur, Inspector of Police, Riga submitted his written report alleging therein that Shrinarayan Bhagat (petitioner) lodged Riga P.S. case No.109 of 2015 under Section 302 I.P.C. against Aklu Bhagat, Laxmi Bhagat, Ramvinay Bhagat (since deceased) for alleged murder of his wife Pinki Devi. In course of investigation of Riga P.S. case No.109 of 2015, it transpired that the petitioner himself has committed murder of his wife



Pinki Devi.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.11.2018 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is no eye witness to the alleged occurrence. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The deceased happened to be the wife of this petitioner. The dead body of the deceased is said to have been recovered from the house of the petitioner. The onus is upon the petitioner to explain the cause of death of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected. The Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of nine months from the date of receipt/production of a copy of this order.

The District Magistrate, Sitamarhi and the



Superintendent of Police, Sitamarhi are also directed to take necessary steps to produce the witnesses on the date fixed by the Trial Court so that the trial could be concluded within the stipulated period.

Let this order be communicated to the District Magistrate, Sitamarhi and the Superintendent of Police, Sitamarhi.

(Sudhir Singh, J)

Narendra/-

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