

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1207 of 2019

Arising Out of PS. Case No.-145 Year-2018 Thana- LAUKAHI District- Madhubani

Manish Sah @ Manish Kumar Sah @ Doctor, Son of Sri Sagar Sahu Resident
of Village- Bhapatiyahi, P.S.- Laukahi, Distt.- Madhubani.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Md. Soban Asghar
For the Respondent/s : Mr. Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 02-07-2019 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The appellant seeks bail in connection with
Laukahi P.S. Case No. 145 of 2018 registered under Section
302/34 of the Indian Penal Code and Section 3 (i) (r) (s) 3 (2)
(v) of the Scheduled Castes and Schedules Tribes (Prevention of
Atrocities) Act, 1989.

Appellant is said to have taken the ailing husband
of the informant on his motorcycle at his clinic on 20.08.2018 at
9 PM despite his reluctance in the name of his treatment and
eliminated him in collusion with other accused persons who is
having animosity with the deceased.



It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case due to dirty village politics to tarnish his image as the appellant happens to be a medical practitioner. Deceased had reported to his wife on 21.08.2018 at 8 PM that he is being treated there and after treatment he left the deceased. He has no concern with the aforesaid occurrence. He has no criminal antecedent and has been languishing in custody since 18.11.2018.

Learned Spl. PP for the State opposing the prayer for bail submitted that despite the reluctance of the deceased appellant took him at his clinic on the pretext of his treatment on 20.08.2018. The appellant was last seen with the deceased and the deceased was in the clinic of appellant till 8 PM on 21.08.2018 and his dead body was found in the night of 21.08.2018, hence he does not deserve bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the appellant on bail. The prayer for bail of the appellant is hereby rejected.

However, the learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within nine months from the date of receipt/production of a copy of



this order. Both the parties are expected to extend their co-operation in conclusion of the trial. The Superintendent of Police, Madhubani is directed to ensure production of the witnesses in the case on each and every date fixed without fail.

If the trial is not concluded within the stipulated period, the appellant may renew his bail prayer.

Let a copy of this order be sent to the Superintendent of Police, Madhubani for needful.

Accordingly, this appeal is dismissed.

(Prakash Chandra Jaiswal, J)

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