

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44349 of 2019

Arising Out of PS. Case No.-179 Year-2018 Thana- SIKTI District- Araria

RAJESH SADA Son of Late Sita Ram Sada Resident of Village- Bhaptiya,
Ward No. 12, P.S.- Sikty, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarangdhar Jha

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Sikty P.S. case No.179 of 2018 registered under Sections 302, 201/34 of the Indian Penal Code, pending in the court of Sri S.K. Sharma, J.M. 1st class, Araria.

Allegation is that the accused persons including the petitioner committed murder of the father of the informant, namely, Jivan Lal Mandal.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.10.2018 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 this case. There is no eye witness to the alleged occurrence nor there



is any substantial evidence to suggest his implication in this case.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R. The dead body of the deceased was recovered from the house of the petitioner. The onus is on him to explain the cause of death of the deceased. The postmortem report corroborates the allegations made in the F.I.R.

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 seven months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

Narendra/-

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