

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52333 of 2019

Arising Out of PS. Case No.-65 Year-2019 Thana- AANDAR District- Siwan

JITENDRA SAH, aged about 45 years, Gender, Male, Son of Kamaldev Sah
Resident of Village - Padeji, P.S.- Andar, Distt - Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 04-12-2019 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

Petitioner seeks bail in a case registered for the offence
punishable under Sections 302/120(B)/34 of the Indian Penal
Code.

Allegation against the petitioner (husband of the
deceased) and her second wife, Pinki Kumari is to have killed
the daughter of the informant. It has further been alleged that
there was ligature mark on neck of deceased.

It has been submitted on behalf of the petitioner that he
is innocent and has been falsely implicated in this case.
Petitioner has got no criminal antecedent.

Learned counsel for the informant has vehemently
opposed the prayer for bail of the petitioner. It is alleged that



deceased was killed by strangulation. In the postmortem report also, cause of death has been attributed to Asphyxia due to injuries found over the neck of deceased. Injuries are:-

(1) ½” x ¼” blackish in colour knot 2” lateral to chin left side present.

(2) 4 ½” x ½” blackish in colour 2” below chin over neck present and extend upto 1” away from left pinna anteriorly.

(3) 1” away from throid carlidge, 6” x 1/2” size blackish in colour goes obliquely behind the neck.

Gap between injury nos.2 and 3 are 4” behind the neck left side.

Considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail of the petitioner is hereby rejected.

However, the court below is directed to expedite and conclude the trial within one year from the date of receipt/production of the copy of the order.

(S. Kumar, J)

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