

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62370 of 2019

Arising Out of PS. Case No.-433 Year-2018 Thana- MURLIGANJ District- Madhepura

PAPLESH DAS Son of Styadeo Das Resident of Village - Rajni Damgara
Tola Ward No.14, P.S.- Murliganj, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 302, 201 and 34 of the Indian Penal Code.

The prosecution case in short is that the daughter of the informant was killed by the accused persons and concealed her dead body.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.3.2019 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. There is no eye witness to the



alleged occurrence nor there is any circumstantial evidence to suggest the implication of the petitioner in the present case. It is further submitted that the deceased has extra-marital affair with one Sushil Kumar and for the said reason, she was done to death.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The petitioner is husband of the deceased. As per section 106 of the Evidence Act, he has to explain the cause of death. As per post-mortem report, the deceased is said to have died due to stab injury and gun shot injury. The dead body of the deceased was found nearby the house of the petitioner.

Considering the above, I am not inclined to grant bail to the petitioner in connection with Murliganj P.S. Case No. 433 of 2018. Prayer is rejected. The Trial Court is directed to take all necessary steps to conclude the trial at the earliest.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

