

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12025 of 2020

Arising Out of PS. Case No.-3 Year-2019 Thana- SAHARSA RAIL P.S District- Khagaria

MANOJ SAH S/o Late Ganesh Sah Resident of Village- Chakla Ward No. -5,
P.S.- Banmankhi, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

3 04-06-2020

Heard learned counsel for the parties.

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

Informant who is a police officer has stated that on 15.02.2019, when he received an information that a dead body was lying on a railway track, he went on the spot and found a dead body of a male lying on the track in naked condition. Subsequently, during investigation, the deceased was identified as Mahadeo Yadav and it also came in evidence that the deceased had illicit relation with the wife of accused Manoj Sah (petitioner) and as such, he had killed Mahadeo Sah and on the



basis of disclosure of petitioner, the chopped off head of the deceased was recovered buried in a sack under water.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case due to village politics. Petitioner has no criminal antecedent and he is in custody since 19.02.2019.

Considering the facts and circumstances of the case and nature of allegation and also the fact that petitioner has confessed his guilt and on his own disclosure, the head of the dead body of the deceased has been recovered, 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 of the order.

(S. Kumar, J)

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