

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40180 of 2021

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

MANOJ SAH Son of 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.Anil Kumar Choudhary

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 06-10-2021

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.

Earlier also, petitioner had moved this Court for grant of regular bail which was rejected vide Annexue 1.

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 Mahdeo 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.

Vide order dated 04.08.2021, a report was called from court below with regard to stage of the trial. The report of the court below has come which is kept at Flag Z, in which, it has been stated that the trial shall be concluded within six months from the date of normal/physical functioning of this court with the full cooperation of prosecution as well as defence counsel.

In view of above, 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 passed by this Court.

(S. Kumar, J)

Sanjay/-

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