

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31451 of 2020

Arising Out of PS. Case No.-388 Year-2019 Thana- MURLIGANJ District- Madhepura

SURESH SAH S/o Late Tufani Sah R/o Village- Bhatkhora Ward No.02, P.S.-
Murliganj, District- Madhepura. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikramdeo Singh, Adv.
For the State : Mr.Ram Bilash Rai Raman, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 18-01-2021 Heard Mr. Vikramdeo Singh, learned counsel for the
petitioner and Mr. Ram Bilash Rai Raman, learned A.P.P.

Petitioner seeks bail in Murliganj P.S. Case No.388 of
2019 registered under Sections 302 and 34 of the IPC.

The informant is the brother of the deceased. The
informant disclosed that his sister was married with the
petitioner ten years ago and his sister got three children. On
05.12.2019 he got information that his sister was killed. After
having received such information, he went to the house of his
sister and found the dead body of his sister lying on the bed. The
informant enquired from the children of his sister, who disclosed
that their father (petitioner), elder father (elder brother of the
petitioner) and aunty assaulted their mother.

Learned counsel for the petitioner submits that there
was some quarreling in the evening. The children of the
deceased disclosed that the accused persons slapped their
mother but in the next morning, their mother was found dead.



There is no evidence to show that the petitioner killed his wife. The petitioner is in jail since 16.02.2020 but from perusal of the F.I.R. and the post-mortem report, it appears that the children have also disclosed that the petitioner and his elder brother and other assaulted the deceased (wife of the petitioner). The post-mortem report shows many injuries on the body of the deceased and she was also strangled to death. The petitioner has not come with the reason as to how his wife died inside the house.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The court in seisin of the case is directed to commit the case to the Court of Sessions forthwith and the Sessions Judge/Additional Sessions Judge shall hold the trial on day to day basis and conclude the same within nine months from the date of framing of charge. If the trial is not concluded within nine months from the date of framing of charge, the petitioner, if so advised, may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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