

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.416 of 2020

Arising Out of PS. Case No.-50 Year-2019 Thana- VIJAYEPUR District- Gopalganj

MANOJ KUSHWAHA @ MANOJ KUMAR KUSHWAHA Son of Late
Nagina Bhagat @ Nagina Kushwaha Resident of Village-Sudamachak, P.S-
Vijaypur, District-Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Sager Sharma, Adv.
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 06-12-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 201 of the Indian Penal Code.

As per the prosecution case, the petitioner who happens to be the husband of the deceased murdered the sister of the informant and made the deadbody disappear. On search the dead body of the sister of the deceased was recovered from the latrine tank having been tied up in a sack.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. He is himself an aggrieved husband who was searching for his wife. He was not present at the place of occurrence. The marriage



took place 17 years ago. There is no material to connect him with the alleged crime. He is in custody since 26.3.2019 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and on perusal of the postmortem report it transpires that the cause of death is stated to be asphyxia due to hanging.

In view of the facts and circumstances of the case, the nature of allegation and the petitioner being the husband of the deceased, this Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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