

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.42582 of 2021

Arising Out of PS. Case No.-5 Year-2018 Thana- SUHAIL District- Gaya

Ganesh Sao, Son of Late Nageshwar Sao, Resident of Village- Sindha, P.S.-
Naudiha Bazar, District- Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

5 29-06-2022 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, within a
period of four weeks from today.

Heard Md. Javed Jafar Khan, learned counsel for the
petitioner and the learned Additional Public Prosecution for the
State

The application for grant of bail to the petitioner, who
is in custody in connection with Suhail P.S. Case No. 05 of 2018
registered for the offences under Section 302 of the Indian Penal
Code.

As per the prosecution case, it is alleged that the
marriage of the daughter of the informant was solemnised with
the petitioner twelve years back and it is alleged that on



19.04.2018, the husband of the deceased stabbed knife into her stomach and back side, however, the deceased anyhow managed to escape from there and reached the house of the informant and fell down in unconscious position, wherefrom she was brought to hospital and later on, she died on 19.04.2018.

Learned counsel appearing on behalf of the petitioner submits that there is no eye witness to the alleged occurrence and moreover, the statement of the deceased, who died after two days of the occurrence, has not been recorded. It is further alleged that this petitioner having clean antecedent is in custody since 04.09.2019 and moreover, the entire investigation of the crime is already completed. It is also submitted that during the course of investigation, other witnesses have also not supported the prosecution case.

On the other hand, learned APP for the State opposed the bail application and submits that there is specific allegation against this petitioner that he inflicted knife blow over the abdomen and back side of the deceased, due to which she succumbed to the injuries. It is also submitted that during the course of investigation statement of the son of the deceased was recorded in which he categorically stated that at about 1.00 AM when her mother was crying, he saw that his father was having a



knife in his hand was running behind his mother.

Having considered specific nature of accusation as also the statement of the son of the deceased, this court is not persuaded to enlarge the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is rejected.

However, from the status report it appears that the present case has already been committed to the Court of Sessions on 19.04.2022, it is expected that the learned trial court will ensure speedy disposal of the case.

(Harish Kumar, J)

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