

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50716 of 2021

Arising Out of PS. Case No.-22 Year-2020 Thana- UCHKAGAON District- Gopalganj

Mantu Sah @ Mantu Son of Shiv Prasad Sah Resident of Village- Brahmain,
P.S.- Uchkagaon, District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 18-05-2022 In this case, Mr. Dinesh Kumar, the Additional District and Sessions Judge-III, Gopalganj had earlier submitted a casual show cause for not sending the entire case diary which was rejected on 12.5.2022 and he was asked to submit his second show cause.

Vide letter no. 461 dated 17.5.2022, he has now submitted a fresh show cause accepting his mistake and offering sincere apology with an undertaking that he will never repeat such type of mistake in future.

The show cause is accepted and he is cautioned to be careful in future.

Heard learned counsel for the parties.

Let the defect(s), if any, as pointed out by the office be removed within a period of four weeks.



The petitioner is in custody in connection with Unchkagaon P.S. Case No. 22 of 2020 lodged under sections 302, 354(B), 201, 34 of the Indian Penal Code.

As per the FIR, the informant alleged that six named accused persons including the petitioner caught hold of her hand and tried to commit rape with her but she somehow saved herself. She narrated the incident to her husband and a quarrel took place. Later, the accused persons killed the husband of the informant and threw his dead body in the court yard of Triloki Patel.

The petitioner's case is on different footing inasmuch as the allegation against him is that he tried to molest the informant which led to entire episode including the killing of the informant's husband and cremation of the dead body in a hurried manner and that too near the house instead of proper cremation "Ghat".

The learned APP Mr. Bharat Bhushan has drawn this Court's attention to the report of the learned Trial Court where it has been stated that the trial is going on and out of five charge-sheeted witnesses, one witness has already been examined and the case is now running for prosecution evidence.

Considering the aforesaid facts, this Court is not



inclined to grant the privilege of bail which is hereby rejected.

The trial court is directed to expedite the trial and conclude the same at an earliest, preferably, within a year.

Let a copy of this order be sent to the District and Sessions Judge, Gopalganj for his perusal.

(Rajiv Roy, J)

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