

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 56156 of 2021

Arising Out of PS. Case No.-477 Year-2020 Thana- TURKAULIYA District- East
Champaran

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JITENDRA SAHANI Son of Jadav Lal Sahani Resident of Village-
Raghunathpur, Ward No.04, P.S.- Turkauliya (Raghunathpur), District- East
Champaran (Motihari)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate

For the Opposite Party/s : Mr. Abhishek Kumar, Advocate

Mr. Jai Narain Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 27-04-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 15.12.2020, seeks
regular bail in connection with Turkauliya (Raghunathpur) P.S.
Case No. 477 of 2020 registered for offences punishable under
Sections 307, 302 and 120B/34 of the Indian Penal Code.

As per the prosecution case, it has been alleged by the
informant that the eight named accused persons including the
petitioner came variously armed with *chaku*, *farsa* etc.
Informant, who is the eyewitness has directly alleged against the



present petitioner to have committed murder of her husband namely Vinay Chaudhary by means of dagger. All the injured persons were taken to the hospital. Husband of the informant succumbed to injuries in way while he was taken to the hospital.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the case because of land dispute between the parties. The said fact is evident from the F.I.R. itself. It is further submitted that all the members of the family have been implicated. No circumstantial legal, substantial, direct, indirect or otherwise evidences have been collected in course of investigation. Charge sheet has been submitted in the case. The petitioner is in custody since 15.12.2020 and has no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Having perused the allegation made in the FIR in which the informant, who is the eye witness has seen the present petitioner, who by means of dagger had assaulted her husband on the vital part of his body like neck, side of the chest and in the back of his chest. The husband of the informant, while he was taken to the hospital had succumbed to injuries.

Taking into consideration the nature of offence having



been committed by the present petitioner, who had committed murder of the husband of the informant, I am not inclined to enlarge the petitioner on bail.

The trial Court is directed to conclude the trial expeditiously.

If no substantial progress takes place in conduct of trial, the petitioner, if so advised, may renew his prayer for bail.

(Purnendu Singh, J)

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