

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41 of 2022

Arising Out of PS. Case No.-85 Year-2020 Thana- SONBERSA District- Saharsa

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Sunil Goswami S/o Laxmi Goswami, R/o village- Soha, P.S.- Sonbarsa,
Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Rashmi Jha, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 08-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sessions Trial No. 38 of 2021 arising out of Sonbarsa Raj P.S.
Case No. 85 of 2020, lodged under Sections 341, 307, 304(B),
302 & 34 of the Indian Penal Code.

As per prosecution case, the mother of the deceased
has filed this case against 9 named accused persons alleging
therein that they in connivance with each other have killed her
daughter.

Learned counsel for the petitioner submits that
petitioner is the husband of deceased and admittedly the
marriage was solemnized in the year 2010 and this occurrence

has caused in the year 2020, therefore, Section 304(B) of I.P.C. has not been attracted in the present case. She further submits that there is no eye witness and the entire case is based on suspicion. She also submits that antecedent of petitioner is clean and he is in custody since 05.06.2020.

Learned counsel for the State vehemently opposes the prayer for bail and submits that it is a case where husband is the accused and instead of protecting his wife, allegation of killing is there and dead body is recovered from house.

A report has been called for in this case, after going through the report, it transpires that charge has already been framed in this case.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, therefore, the bail application of petitioner is hereby **rejected**.

Direction is hereby given to the Trial Court to expedite the trial and conclude it within 9 months from today.

(Dr. Anshuman, J.)

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