

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19703 of 2022

Arising Out of PS. Case No.-117 Year-2019 Thana- JANDAHA District- Vaishali

DEWARI SAHNI Son of Late Bigan Sahni R/o village - Bajitpur Madhaul,
P.S. - Jandaha, Dist. - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 09-01-2023

No one appears for the petitioner.

Learned A.P.P. for the State is present.

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

As per the prosecution case, it is stated by the informant that on the petitioner (informant's brother) returning home, he started to abuse his wife. On his wife asking him not to abuse her, it is stated that he picked up a wooden '*chaukhat*' and as a result of indiscriminate assault by him on his wife, she sustained grievous injuries and died on the spot.

On perusal of the petition, it transpires that the case of the petitioner is that the petitioner is innocent. He has no motive nor any intention to kill the deceased which was an



unfortunate incident. The post-mortem report does not support the prosecution case. The petitioner has three small children and chargesheet has been submitted in the case. He is in custody since 24.5.2019 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 allegations in the F.I.R., it transpires that the petitioner is the assailant of the deceased. As such, the 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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