

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34630 of 2023**

Arising Out of PS. Case No.-105 Year-2022 Thana- BELDOUR District- Khagaria

MANJIT THAKUR Son of Dhaneshwar Thakur Resident of Village - Banke
Singh Basa Gawas, P.S.- Beldour, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mrityunjay Kumar, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar, APP
For the informant	:	Mr. Chandra Mohan Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioner, State and
the informant.

The petitioner is in judicial custody in connection
with Sessions Case No. 267 of 2022 arising out of Beldour P.S.
Case No. 105/2022 for the offence punishable under Sections
364, 302, 201 of the Indian Penal Code lodged on 30.4.2022 by
the informant, Savitri Devi.

As per the prosecution story, the allegation against
the petitioner is that he took away his wife on a motorcycle and
later returned alone. Subsequently, he went to the police station
to lodge the case. However, as the villagers informed victim



lady's parents, they rushed to the police station made allegation against the petitioner, FIR lodged and he was arrested.

In this case, learned counsel for the informant has made a categorical statement and wants the same to be recorded in the order that in his confessional statement before the police, the petitioner confessed that he had suspicion that his wife is having relationship outside the marriage and having seen it once, he was planning to kill her. On the fateful day, he took her on the motorcycle, kept on roaming and in the night, killed her and threw the body in the bushes and came back. However, he could not sleep all night.

It is his further submission that on the basis of said confession, the police took the petitioner to the place he had described and the dead body was recovered.

True it is, the confession before the police has no meaning but if on the basis of said confession, the dead body of the lady was recovered, the role of the petitioner, so far as the bail part is concerned, cannot be ignored.

Learned counsel for the petitioner submits that in the trial, the prosecution witnesses have not supported the prosecution story.

The trial is at an advanced stage as informed by the



learned APP, it is appropriate that the same be concluded within
a period of one year.

So far as the bail application is concerned, the same
is rejected.

(Rajiv Roy, J)

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