

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47085 of 2022

Arising Out of PS. Case No.-34 Year-2022 Thana- NARKATIYAGANJ RAIL P.S. District-
West Champaran

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DASHRATH TURAHA @ BHADU TURAHA Son of Sheshnath Turaha @
Sheshnath Sah Resident of village - Kailash Nagar, Ward No.- 06, P.S.-
Bagaha (Patkhauri), District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Informant	:	Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr. Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 18-04-2023 Heard learned counsel for the petitioner, learned

counsel appearing on behalf of the Informant and learned APP

for the State.

Petitioner seeks bail, who is in custody since
29.04.2022 in connection with G.R.P. Narkatiyaganj P.S. Case
No. 121 of 2021, F.I.R. dated 28.04.2022 registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code.

The prosecution case, in brief, is that the informant
namely Meera Devi gave a written report to Rail Police
Narkatiyaganj on 28.04.2022 stating therein that the petitioner
along with other co-accused persons namely Golu Choudhary,



Ravi Sahani, Kunmuni Baitha and Kamlesh Sahni came to her house on 26.04.2022 at about 10:00 P.M. and her husband Feku Sahani had gone along with them and on 27.04.2022 she got information on mobile that the dead body of her husband was lying on Railway track. She went there along with his family members and received the dead body and raised suspicion that the aforesaid persons would commit murder of her husband.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case and the informant is not an eye witness of the alleged occurrence and on the basis of suspicion the petitioner has been falsely implicated in the present case. He further submits that the petitioner has no role in the present occurrence.

Vide order dated 24.03.2023, a report was called for with regard to the stage of the trial. Report dated 06.04.2023 of the learned Trial court reveals that out of six chargesheeted witnesses, four witnesses have already been examined and the present case is pending for rest of the prosecution evidence.

In view of the report of the learned Trial court, I am not inclined to enlarge the petitioner on bail in connection with G.R.P. Narkatiyaganj P.S. Case No. 121 of 2021 pending in the Court of learned Railway Judicial Magistrate 1st Class,



Muzaffarpur.

Prayer is refused.

However, the learned Trial court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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