

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1238 of 2023**

Arising Out of PS. Case No.-285 Year-2021 Thana- KHANPURA District- Samastipur

Ashok Sada, S/o Sonelal Sada, R/o Village- Tedha Milki, P.S.- Khanpur,
District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Sessions Trial No. 158 of 2022 arising out of Khanpur P.S.
Case No. 285 of 2021 dated 18.12.2021 registered for the
offences punishable under Sections 364, 302/34 of the Indian
Penal Code.

3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner has been
languishing in jail since 19.12.2021 in fact the deceased
committed suicide due to his family issues, as per the
postmortem report the external injuries found on the body of the
deceased do not corroborate the allegations levelled in the FIR



against the petitioner.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the seriousness of the accusation appearing against the petitioner and he allegedly wrapped a towel around the neck of the deceased and thereafter pressed his neck and consequently the victim died due to the said strangulation and there is specific allegation against the petitioner and the reason behind the crime is stated as to the petitioner and his family being involved in the manufacturing of illicit wine which was being objected by the deceased, in the opinion of this court, petitioner does not deserves to the privilege of bail. Accordingly, his bail prayer stands rejected.

Trial court is directed to expedite the trial of the petitioner if the same has started and take steps to conclude the same in the next one year, petitioner may renew his bail prayer after one year, if no significant progress is made in his trial in the said period.

(Shailendra Singh, J)

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