

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17545 of 2024

Arising Out of PS. Case No.-13 Year-2022 Thana- LAUKAHA District- Madhubani

Shobha Sadai Son Of Mahadev Saday R/O-Kamalpur, P.S.-LAUKAHA,
Distt.-MADHUBANI

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Adv

For the Opposite Party/s : Mr. Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Laukaha P.S. Case No. 13 of 2022 dated 13.01.2022 registered for the offence punishable u/s 302 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have abused and assaulted the informant's husband with lathi who fled towards the bamboo orchard where the petitioner strangled her husband to death.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is also submitted that there is no eye-witness of the occurrence. The petitioner did not participate in the occurrence to kill the deceased. From bare perusal of the post-mortem



report of the deceased, the cause of death has been opined due to haemorrhage and shock. It is further submitted that the charge sheet has already been submitted u/s 302 and 323 of the I.P.C. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 15.01.2022.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner committed murder of the informant's husband. The cause of death is due to haemorrhage and shock caused by the above mentioned injuries. The impugned order dated 31.01.2024 shows that the charge sheet has been submitted u/s 302 and 323 of the I.P.C and the trial is at the verge of completion as all together six witnesses already been examined on behalf of the prosecution.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Laukaha P.S. Case No. 13 of 2022 pending in the court of learned Additional Sessions Judge 4th Madhubani.

7. The application stands rejected.

8. The learned trial court is further directed to



expedite the trial and conclude the same at the earliest.

(Chandra Prakash Singh, J)

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