

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19361 of 2024

Arising Out of PS. Case No.-493 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

Sunita Devi Wife of Jaimangal Ram R/o Village Panjaraw, P.S.-Nuaon,
District-Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 21302 of 2024

Arising Out of PS. Case No.-493 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

Dhanjee Ram S/O Janam Ram R/O Village- Pajraon, P.S- Nuaon, Distt.-
Kaimur At Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 19361 of 2024)

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

(In CRIMINAL MISCELLANEOUS No. 21302 of 2024)

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 30-04-2024 Heard learned counsel for the petitioner and learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Bhabua instituted for the offences under Section 365 of the



Indian Penal Code (for brevity 'the IPC'). Subsequently, Sections 364, 120(B), 302, 201 & 149 of the IPC were added.

3. Prosecution allegation, in short, is that brother of the informant, who is the owner of the brick kiln, usually came home at 08:00 P.M. from his brick kiln, but in the evening of 13-12-2023, he did not return to home. It is further alleged that he has told to his munshi that he should return to home by 9:00 PM, but he was not traced out.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. The petitioners are in custody since 24-12-2023 and has no criminal antecedent. It is submitted that during the course of investigation, it has come that husband of the petitioner No. 1 is tractor driver of the deceased and on the date of occurrence, he was out of village and in the evening deceased after consuming liquor came at the home of petitioner No. 1 and slept there. It is alleged that mobile phone of the deceased was recovered from the house of petitioner No. 1. It is further alleged that on the confessional statement of petitioner No. 2, recovery of the dead body was made.

5. Learned A.P.P. for the State has vehemently



opposed the prayer for grant of bail to the petitioner. Learned APP further submits that there is specific allegation against the petitioner No. 1 is that from the house of petitioner No. 1, recovery of mobile phone of deceased is made and confessional statement of petitioner No. 2 leads to recovery of dead body of the deceased.

6. Considering the nature of accusation against the petitioners and the gravity of the offence, I am not inclined to grant bail to the petitioners. The prayer is **rejected**.

7. The Trial Court is directed to take all necessary steps to conclude the trial at earliest preferably within a period of one year from the date of receipt/production of a copy of this order.

8. The District Magistrate, Kaimur and the Superintendent of Police, Kaimur are also directed to take necessary steps to produce the witnesses on the date fixed in the Trial Court so that the trial could be concluded within the stipulated period.

9. Let this order be communicated to the District Magistrate, Kaimur and the Superintendent of Police, Kaimur.

10. Petitioners will be at liberty to renew their prayer for grant of bail before the court below, if the trial is not



concluded within the aforesaid period, i.e., one year.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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