

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49158 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- MOTIHARI RAIL P.S. District- West
Champaran

Santosh Sah Son Of Late Pyare Sah @ Late Pyarelal Sah Village- Lalbegiya,
P.S.- Chiraiya, Distt.- East Champara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 63584 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- MOTIHARI RAIL P.S. District- West
Champaran

Jaylal Sahani S/o- Ram Bahadur Sahani Resident of village- Lal Begiya Ps-
Chiraiya District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 49158 of 2024)

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the State : Mr. Nand Kishore Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 63584 of 2024)

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

For the State : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 21-10-2024 Heard Mr. Bimlesh Kumar Pandey, in Cr. Misc. No.

49158 of 2024 and Mr. Sharad Kumar Verma in Cr. Misc. No.

63584 of 2024 learned counsel for the petitioners as also learned

APPs for the State.

2. The petitioners are in custody in connection with

Motihari GRP P.S. Case No. 01 of 2024 registered for the

offence under Sections 302, 201 and 34 of the Indian Penal



Code lodged on 08.01.2024 by the informant Sunila Devi.

3. As per the prosecution story, the informant wife of the deceased submitted a written report informing that her husband had gone to the market but failed to return. Later, a dead body was found near Railway Station, Motihari and when she reached with family members near the railway track found the husband's dead body. Subsequently, the investigation took place and it came to notice that both these petitioners were having extra marital affairs with the lady informant. The deceased had come to know about this affair and had directed the lady not to have any truck with the accused persons. This was informed by the lady to the accused but as they could not resist meeting her, the case is that without informing her about their plan, the husband was taken and after feast, both ensured that he is killed and the dead body was thrown near the railway track.

4. The case diary was earlier called for by coordinate Bench and learned APPs have taken this Court to different paragraphs to show that the petitioner Jaylal Sahani used to be in continuous conversation with the lady through mobile. Further, it has also come during the investigation that Santosh Sah had subsequently also developed relationship with the lady



and as such, it was their common intention to remove the block (the deceased husband) to ensure that they have uninterrupted meeting with the lady.

5. The kind of allegation that has come against these petitioners which ultimately led to the killing of the innocent husband, no relief can be granted. Both the bail petitions stands rejected.

6. Since, the petitioners are in custody, the Trial Court is requested to expedite the trial.

(Rajiv Roy, J)

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