

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63943 of 2023

Arising Out of PS. Case No.-70 Year-2022 Thana- MIRGANJ District- Gopalganj

Vijay Sah Son Of Late Namo Sah Resident Of Village- Kashim Samail,
Police Station- Mirganj, Distt- Gopalganj

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Thakur Brajesh Singh

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

Prosecution case in nutshell is that informant's daughter was married to the petitioner. It is alleged that informant used to harass and beat her and did not give money for her personal expense. It is further alleged that he got information by her grand-daughter ie. daughter of deceased and petitioner, that her daughter



(Sanju Devi) was murdered by the petitioner along with other co-accused persons. When the informant along with other family members reached there, he found his daughter lying dead in a pool of blood.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. It is further submitted that neither there is any eye witness of the alleged offence nor there is any specific overt act of allegation levelled against the petitioner. Moreover, the petitioner is in judicial custody since 26.02.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing on behalf of the State vehemently opposed the prayer of the petitioner and submitted that petitioner, being the husband of the deceased, has full responsibility to keep his wife with dignity and full honor. From perusal of the postmortem report, it appears that several external injuries and



chopped wounds on temporal bone and on other vital parts are present on the dead body. During investigation, witnesses supported the prosecution version version of the case. It is further submitted that daughter of the deceased, namely, Pooja Kumari, also supported the prosecution case and stated against the petitioner.

Having heard the learned counsel for the parties and considering the heinous nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

Learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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