

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65579 of 2023

Arising Out of PS. Case No.-167 Year-2023 Thana- PHULPARAS District- Madhubani

RAJ NARAYAN SAHU @ RAJ NARAYAN SAH Son of Rati Lal Sahu R/o
vill - Ratauli, P.S. - Phulparas, Distt. - Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti

For the Opposite Party/s : Mrs. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in a case
instituted for the offence under Sections 302, 201 of the Indian
Penal Code.

3. As per allegation in the FIR, informant is
Choukidar and at the time of patrolling, he found two beheaded
dead body of females, which were lying in the bank of Bharauli
Dhar. It is suspected that some unknown miscreants have
committed murder and with a view to destroy the evidence
thrown dead bodies in the bank of river.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. FIR is
against unknown. No consistent evidence has come against the



petitioner during investigation. Save and except confessional statement of co-accused Bipin Sah, nothing has come against the petitioner. Petitioner is languishing in judicial custody since 8.4.2023.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that it is a case of double murder. Both the dead bodies were identified by Manish Kumar as of his sister and niece. In para 37 of the case statement of Manish Kumar was recorded and he disclosed that his sister was firstly married in the year 2014 and blessed with a girl child. But after two years she was not satisfied with that marriage and returned back to her village where she developed love with co-villager Pradeep Sah, who was also a married man and later on performed marriage. Her second marriage was opposed by the family members of Pradeep Sah and they in connivance with other accused persons committed murder of her sister and niece. In para 89 of the case diary, confessional statement of Bipin Sah was recorded in which he has accepted the involvement of the petitioner in commission of murder of Mala Devi and Arushi Kumari and the weapon (sword) which was used in the crime was recovered at his instance from behind his house. In para 38 of the case diary,



witness Dilip Kumar Kamat has also supported the prosecution story. As per postmortem report, deceased has received several injuries caused by sharp weapon. There is strong circumstantial evidence against the petitioner.

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

7. The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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