

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 4938 of 2025

Arising Out of PS. Case No.-113 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

Mannan Sai @ Md. Mannan Son of Alham Sai Resident of Village- Pipara,
P.S.- Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 08-07-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecution for the State.

2. The petitioner seeks bail in connection with
Baikunthpur P.S. Case No. 113 of 2019 registered for the
offences under Sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant has
alleged that she had married her daughter to one Samshad Sai. It
is further alleged that on 27.05.2019, Mannan Sai (petitioner)
and Sadam Sai started drinking in the room which was protested
by her daughter upon which an altercation took place which
resulted in assault upon the daughter of the informant. It is
further alleged that the named accused persons including the
petitioner herein in a pre-planned manner had committed the



murder of her daughter.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case and no such incident as stated has occurred. Learned counsel further submits that he happens to be the brother-in-law (*dewar*) of the deceased who had no concern with the family affairs of the brother. It is also submitted that there is no eye witness to the occurrence and as such it is merely on suspicion that the name of the petitioner has been inserted. It is lastly submitted that the other co-accused have been granted bail by a Coordinate Bench of this Court vide order dated 28.02.2020 and 20.02.2021 respectively. The petitioner has no criminal antecedent and is languishing in custody since 05.12.2024.

5. Learned APP for the State as well as learned counsel for the informant have jointly opposed the prayer for bail of the petitioner and has pointed out that this case is of 2019 and the petitioner despite being a named accused evaded from the investigation and had not even filed any anticipatory bail application and subsequently he has surrendered on 05.12.2024. Learned APP for the State has further stated that it was on account of the petitioner that the trial has not begun and he has absconded for almost five years.



6. Considering the facts and circumstances of the case and taking into account that the petitioner is the named accused and the offence is serious in nature and also there is sufficient material available in the case diary against him, I am not inclined to enlarge the petitioner on bail.

7. The prayer for regular bail of the petitioner is hereby rejected.

8. However, the learned Trial Court is directed to expedite the trial as the case is of the year 2019 and see to it that the trial proceeds on day to day basis and no unnecessary adjournments are granted to the petitioner.

(Sourendra Pandey, J)

Anushka/-

U		T	
---	--	---	--

