

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54499 of 2024

Arising Out of PS. Case No.-3 Year-2023 Thana- RAMPUR HARI District- Muzaffarpur

MANCHAN SAH @ ANIKET SAH S/O MR. LALBABU SAH R/O
VILLAGE- TARAJIVAR, P.S- RAMPUR HARI, DISTT.- MUZAFFARPUR.
... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

9 16-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Rampur Hari P.S. Case No. 03 of 2023 dated 26.07.2023 registered for the offences punishable u/ss 302, 120B read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, on 24.07.2023 the informant's husband received call from the petitioner on his mobile who asked her husband to come to Tarajivan for going to court in order to file compromise petition and for the said purpose, her husband Devendra Sahni reached Tarajivan where the petitioner and the co-accused persons, Mannan Shah, Mukesh Shah, Janak Sahni, Ramu Sahni, Chulai Sahni and Dulari Devi were present and they went to Muzaffarpur Court but the compromise petition was not prepared. They all returned to Tasrajivan and the informant's husband informed the informant



through telephone about the said development of work and he also informed that the above named persons assured him that the work of compromise petition would be done on the next day. The informant's husband stayed in the house of the co-accused, Dulari Devi. At about 12.00 hours, the informant received call from the mobile of her husband wherein she was informed that her husband is dead. Thereafter, the informant along with her in-laws went to Tarajivan and found the dead body of her husband in the house of the co-accused, Dulari Devi. It is further alleged that the dead body was found smeared with mud indicating that he had been beaten to death. Later, the petitioner and the others took the dead body of her husband and kept it on the doorstep of her father.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that the present written report was lodged by the informant on 26.07.2023 but the inquest report of the deceased was prepared on 25.07.2023. As per the post-mortem report of the deceased, the doctor has not found any external injury present all over the body of the deceased and there was bleeding and blood clots present in the oral cavity like vomiting with offensive smell and cause of death was reserved till the report of chemical analysis is obtained. The petitioner has



no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 02.04.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the specific allegation against the petitioner is that he called the informant’s husband through phone and subsequently, he along with his associates committed murder of the informant’s husband under a conspiracy which is evident from the para 24 of the case diary (observation note).

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of offence is against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. Learned trial court is directed to expedite the trial and conclude the same at the earliest.

8. The application stands rejected.

(Chandra Prakash Singh, J)

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