

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.28967 of 2023**

Arising Out of PS. Case No.-562 Year-2020 Thana- GARKHA District- Saran

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SHOBHNATH SAH S/O LT. SUDARSAN SAH Resident of Village- Rampur  
Bathani, P.S.- Garkha, District- Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Suman Kumari Singh

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR  
ORAL ORDER**

5      01-11-2023                      Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner has prayed for bail in connection with Gorkha P.S. case No. 562 of 2020 instituted for the offence under Sections 302 the Indian Penal Code.

It is a case of commission of murder by the petitioner of his wife by inflicting the injury on her body by means of knife due to which she died.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Petitioner is the husband of the deceased and he has been falsely implicated in this case. It is further submitted that the petitioner is languishing in judicial custody since 01.12.2020.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that from perusal of prosecution



case, there is direct and specific overt act against this petitioner who stabbed the knife in the chest of his wife (deceased) due to which she died. Further, the postmortem report of the deceased corroborates the prosecution case in which doctor opined that the cause of death is due to sharp cut object. It is further submitted during investigation the witnesses of this case and informant in his restatement have also supported the prosecution story.

In pursuance to the direction of this court, a report dt. 25.09.2023 with regard to present stage of trial has been received by which, it appears that trial is likely to be concluded within a period of one year.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioner of killing his wife, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The learned trial court is directed to conclude the trial within the stipulated period as mentioned in the above report failing which, the petitioner will be at liberty to renew his prayer for bail.

**(Sunil Kumar Panwar, J)**

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