

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41132 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -BIHPUR District- BHAGALPUR

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1. Shyam Yadav @ Shyam Kishore Yadav S/o Bindeshwari Prasad Yadav,
resident of Village- Jhandapur, P.S.- Bihpur (Jhandapur), District-
Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav

For the Opposite Party/s : Mr. Rana Randhir Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in Bihpur (Jhandapur) P.S.
Case No.22/2015 (S.T. No.277/2015) registered under Sections
304 (B), 120 (B) and 201/34 of the Indian Penal Code.

The prosecution case, in short, is that one Bablu Yadav
gave his fardbayan on 3.2.2015 before the police that his sister
has been killed by her husband (petitioner) along with other family
members and kept her dead body on the Railway Track with a
view that she had committed suicide herself.

It is submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. He is in custody since
18.3.2015. The charge sheet has been submitted in this case. There

is no allegation of tampering with the evidence against the petitioner. The deceased is said to have committed suicide at the railway track and several witnesses have supported the fact that blood stained was found at the railway track. There is no eye witness to the alleged occurrence. The petitioner has falsely been implicated in the present case.

On behalf of the State, it is submitted that the petitioner is the husband of the deceased and from perusal of paragraph No.33 of the case diary it would appear that the dead body was recovered by the side of the river and from perusal of post-mortem report it would appear that the deceased had died due to injury caused by heavy hard and blunt substance.

Considering the facts aforesaid, I am not inclined to grant bail to the petitioner and the same is rejected.

Any how, the trial court is directed to take all necessary steps to expedite the trial and conclude the same, preferably within a period of one year from the date of receipt/production of a copy of this order.

V.P.Sinha/-

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(Sudhir Singh, J)