

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29128 of 2018

Arising Out of P.S.Case No. -77 Year- 2017 Thana -INARWA District-
WESTCHAMPARAN(BETTIAH)

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Pramod Mahto S/o Late Awadh Mahto, R/o Vill.- Shahpur Parsauni, P.S.-
Imarwa, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Smt. Gulnar Begam

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 03-07-2018 Heard learned counsel for the petitioner as well as
learned APP for the State.

The petitioner is in custody in connection with Sessions
Trial No.73 of 2018 arising out of Inarwa P.S.Case No.77 of 2017
pending in the Court of ADJ-V, Bettiah, West Champaran
registered for an offence under Sections 304(B), 201, 34 and 302
of the IPC.

This petitioner is husband of the deceased and
allegation is that he took the deceased to his house on the pretext
of preparing Adhar Card and thereafter committed murder.

It has been submitted that the marriage of this petitioner
took place for about 16 years ago. After marriage both were
leading conjugal life and from the said wedlock the petitioner has



been blessed with three children. The deceased had extra marital relation with whom she escaped. The petitioner is in custody since 07.09.2017 having no antecedent. There is neither any eye witness nor there is recovery of dead body and so no offence under Section 302 of the IPC is made out and the petitioner deserves to be enlarged on bail.

The learned APP opposed the submissions.

From the FIR, it appears that there is specific allegation that this petitioner used to demand Rs.2,50,000/- for purchasing a tempo. On account of assault and torture the deceased had filed a complaint case for the offence under Section 498A of the IPC and also a Maintenance Case No.9503 of 2016 against the petitioner. In course of investigation, the witnesses have stated that this petitioner took the deceased from the house of the informant and after committing her murder disposed of the dead body without giving any information to the family members of the informant.

Considering the aforesaid facts and circumstances, the prayer for bail is rejected. The court below is directed to expedite the trial.

(Sanjay Kumar, J)

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