

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39327 of 2018**

Arising Out of PS.Case No. -33 Year- 2016 Thana -BELCHHI District- PATNA

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RAM BALAK YADAV S/o Mani Gope @ Mani Yadav, R/o Vill.-  
Mogalchak, P.S.- Belchhi, District- Patna.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Md. Sufiyan

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

4      06-09-2018                      Petitioner is granted permission to make correction in  
  
para 8 of his application as viscera report has been received  
  
from the Forensic Science Laboratory. Hence, the words ‘but  
  
till date no report’ is permitted to be deleted.

Heard learned counsel for the petitioner and learned  
  
APP for the State.

Petitioner is languishing in judicial custody since  
  
17.07.2017 in connection with Belchhi P.S. Case No. 33 of  
  
2016 giving rise to Sessions Trial No. 176 of 2018 for offences  
  
punishable under Sections 304-B/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is  
  
that his daughter Poonam Kumari was married to the petitioner  
  
two years back and all the family members including the



petitioner tortured her for demand of dowry on which several times his daughter was sent to the parental house and on 18.07.2016 he was informed that his daughter has been killed by the in-laws and on arrival he found the dead body in the room.

It has been submitted by the learned counsel for the petitioner that he is innocent and just because he is the husband, he has been made accused in the present case. He submits that no demand of dowry was made and the petitioner has been falsely implicated. He undertakes to co-operate in the trial on day to day basis.

However, learned APP for the State vehemently opposes the prayer for bail and points out to the impugned order wherein the viscera report preserved and the report of F.S.L. is there which shows that ENDOSULFAN which is a poison was found in the viscera of the deceased.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner in connection with Belchhi P.S. Case No. 33 of 2016 giving rise to Sessions Trial No. 176 of 2018, pending in the court of learned 3<sup>rd</sup> Additional Sessions Judge, Barh.



The application is, accordingly, rejected. However,  
the trial court is directed to conclude the trial within six months.

**(Nilu Agrawal, J)**

Devendra/Priyanka

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