

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19039 of 2019

Arising Out of PS. Case No.-347 Year-2017 Thana- BANKA District- Banka

Upendra Yadav @ Upendra Kr. Yadav Son of Sukhdeo Yadav, Resident of
Village- Okhariya, Police Station- Banka, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 08-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 302, 201/34 of the Indian Penal Code.

The prosecution case, in brief, is that the daughter of the
informant was used to be tortured in her in-laws house and
ultimately, she was done to death in her matrimonial home by in
laws.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 07-01-2019. Charge sheet has
already been submitted. The petitioner has been falsely
implicated in the present case. There is no other substantive



evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. He is husband of the deceased. The deceased was hanged to death. The dead body of the deceased was found hanging in the forest. The onus is upon the petitioner to explain the cause of death of his wife.

Considering the facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Banka P.S. Case No. 347 of 2017 is rejected.

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

(Sudhir Singh, J)

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