

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2485 of 2020

Arising Out of PS. Case No.-177 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

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MUKESH PRASAD Son of Late Bunilal Prasad Resident of Village-Brit Belwa, P.S-Kuchaikote, District-Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 05-06-2020 Heard Mr. Ranjeet Kumar Pandey, learned counsel

for the petitioner and Mr. Sanjay Kumar Singh, learned A.P.P.

for the State through Video Conferencing.

The petitioner seeks bail in Kuchaikote P.S. Case No.
177 of 2019 registered under Sections 302 and 34 of the Indian
Penal Code.

The informant, brother of the deceased, alleged that
his younger sister was married with the petitioner ten years ago.
His sister and her husband had come to his house and remained
in the house of the informant for a month. They went to their
house on 20.06.2019. On 22.06.2019, at about 6 in the morning,
the informant got telephonic information that his sister was
inside the house and she was not unlocking the door. The
informant went there and found the dead body of his sister.



There were many injuries on neck, back and on leg of his sister. The informant came to know that the petitioner(husband of his sister) brutally assaulted his sister and killed her by strangulating.

The learned counsel for the petitioner submits that marriage of the petitioner was solemnised with the sister of the informant ten years ago but the sister of the informant did not give birth to a child. She was under acute depression on account of the fact of her inability to give birth of any child. She committed suicide. It is further submitted that most of the witnesses are from the village of informant and two witnesses who support the case of the persecution are of the village of the petitioner but they are inimical to the family members of the petitioner as they are witness in a murder case but it appears from perusal of the F.I.R. as well as the post-mortem report that it is not a simple case of suicide. It appears that deceased got as many as five anti-mortem injuries on different parts of her body besides the strangulation on account of which the death was caused. Petitioner is the husband and it was he who is alleged to have strangled his wife to death after brutally assaulting her.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same



is rejected.

Since the petitioner is in jail for about one year, the trial court is directed to hold the trial on day to day basis and conclude the same within one year from the date of receipt of this order.

If the trial is not concluded within one year, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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