

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14036 of 2020

Arising Out of PS. Case No.-256 Year-2016 Thana- CHHATAPUR District- Supaul

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ASHOK MISHRA S/o Gunanand Mishra Resident of Village- Jharkhargarh,
P.S.- Chhatapur, Distt- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 06-12-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 304B and 34 of the Indian Penal Code.

As per the prosecution case, the petitioner who is the husband of the deceased along with members of his family are stated to have assaulted and tortured the daughter of the informant and of having ultimately killed her.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the F.I.R. are false and concocted. The petitioner has been falsely implicated in the case because of his relationship being husband of the deceased. His case stands on a similar footing to that of the other coaccused who have been enlarged on bail by orders brought on record as



Annexure 2 series to this petition. The petitioner is in custody since 15.11.2019. Charge has been framed in the learned Court below on 6.11.2020. The petitioner has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and on perusal of the materials on record it transpires that the petitioner happens to be the husband of the deceased in whose postmortem report the cause of death is stated to be asphyxia due to antemortem hanging. In view of the allegations in the F.I.R. together with the petitioner being the husband of the deceased and the contents of the postmortem report, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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