

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42944 of 2021

Arising Out of PS. Case No.-121 Year-2020 Thana- AAJAM NAGAR District- Katihar

Kekaru Sharma S/o Munilal Sharma @ Munia Sharma R/o Village- Sitalwari,
P.S.- Azamnagar, Distt. Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Qumrul Hoda,Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 29-10-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Azamnagar P.S. Case No. 121 of 2020, registered for the offence under Section 302 / 34 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant was married with this petitioner one year ago and thereafter, it is alleged that this petitioner alongwith others committed mental and physical torture and thereafter, on 06.06.2020, the informant received an information that his daughter has been killed by the accused persons. Petitioner is husband of the deceased.

It is submitted on behalf of petitioner that deceased was an ill-temperament lady and suffering from mental disease and due to that reason, she committed suicide by hanging.



Doctor has not found any external injury on the person of deceased. There is no specific allegation against this petitioner, rather the nature of allegations are general and omnibus. It is further submitted that uptillnow, four witnesses, including the doctor (P.W.2), have been examined by the prosecution, in which, three witnesses have been declared hostile. Petitioner is in custody since 07.06.2020.

However, learned A.P.P. for the State opposed the bail petition and submitted that petitioner is husband of the deceased and there is specific and direct allegation against this petitioner and the deceased died at her matrimonial home in an unnatural circumstances.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected. However, since the petitioner is in custody since 07.06.2020, the learned trial court is directed to conclude the trial as early as possible.

(Prabhat Kumar Singh, J.)

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