

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31349 of 2020

Arising Out of PS. Case No.-8 Year-2016 Thana- BHORE District- Gopalganj

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HARENDRA YADAV @ HARENDRA CHOUDHARY Son of Late Lahru
Yadav Resident of Village - Bharpatiya, P.S. - Bhorey, District -
Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kumar Rajiv

Mr.Binay Kumar Singh

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 12-01-2021 Heard Mr. Kumar Rajiv, learned counsel for the

petitioner and learned APP for the State.

The petitioner, who is in custody since 22.01.2020
seeks bail in connection Sessions Trial No. 135/2020 arising
out of Bhorey P.S. Case No. 8 of 2016 instituted for the
offences under Sections 302 and 201 of the Indian Penal
Code.

It is alleged in the First Information Report that the
deceased was being tortured by the petitioner, who is the



husband of the deceased and later she was killed and her dead body was surreptitiously cremated.

Learned counsel for the petitioner has submitted that the petitioner comes from a poor family and because of his stringent financial condition, he could not provide medical assistance to his wife, who died because of illness. After coming to know about the actual state of affairs, the informant, who is brother of the deceased does not wish to prosecute the petitioner any further and such statement was made by him before the court below.

The petitioner is in custody since 22.01.2020.

From the impugned order, it appears that charges were likely to be framed at the time when the prayer for bail was rejected.

Considering the nature of accusation against the petitioner, I am not inclined to grant bail to him for the present.

The prayer for bail is rejected.

However, if there is no substantial progress in the trial within the next six months, the petitioner would be at



liberty to approach the Trial Court for grant of bail and in that event, the Trial Court would be required to state the reasons for tardy progress of trial.

(Ashutosh Kumar, J)

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