

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.34878 of 2020**

Arising Out of PS. Case No.-2 Year-2020 Thana- PIPRIYA District- Lakhisarai

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PRAKASH MAHTO S/o Late Mani Mahto R/o- Ramchandrapur, P.S.-
Pipariya, District- Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar,Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal,APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

5 06-07-2021 Heard learned counsel for the petitioner and Mr.

Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Pipariya P.S. Case No. 02 of 2020
registered for the offences punishable under Sections 302/34 of
the Indian Penal Code.

Learned counsel for the petitioner submits that as per
the prosecution story, the informant stated that on 04.01.2020
when he came home at 10:30 P.M. his first wife told him that
brother of his second wife with one unknown person came and
stayed in the house of Gopal. It is further stated that at 03:00
A.M. wife of younger brother Kabita Devi came and demanded
some part of handpump. At 06:00 A.M. when the informant
woke up some neighbour told him that there is a dead body



lying near South side of the house of one Ramdas thereafter he identified the dead body as that of his wife.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case only on mere suspicion. It is submitted that there is no eye-witness to the alleged occurrence. The petitioner is in custody since 09.01.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner is said to be the husband of the deceased Manju Devi and it has come in course of investigation that he had killed his wife and wanted to implicate his younger brother in the said case, considering the seriousness of the allegations and the materials placed by Mr. Akhileshwar Dayal, learned APP for the State, this Court is not inclined to grant bail to the petitioner. The prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited. The trial court is expected to proceed with the trial keeping in view that the petitioner is in custody since 09.01.2020. All endeavours be made to conclude the trial as early as possible preferably within one year from the



date of start of normal functioning of the court.

If the trial is not concluded within the aforesaid period for no reasons attributable to the petitioner, he may renew his prayer for bail.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

