

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39997 of 2020

Arising Out of PS. Case No.-230 Year-2019 Thana- KUMAR KHAND District- Madhepura

BAMBAM SHARMA S/o Manoj Sharma R/o Village- Sihpur, Ward No. 5,
P.S.- Kumarkhand, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 13-04-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302, 120B, 34 of the Indian Penal Code.

Informant has alleged that marriage of his daughter was solemnized with the petitioner three years back. After the marriage, all the accused persons including the petitioner assaulted his daughter. On 30.11.2019 in the morning informant learnt that his daughter was killed. Informant came and found his daughter's dead body lying in courtyard. In her neck black spot was found. Seeing the dead body of his daughter, it appears that accused persons killed his daughter by strangulating her neck.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that informant is not the eye witness to the said



occurrence. He submits that petitioner was suffering from illness and his sexual power had become defunct due to failure of one of the kidney. The deceased was not sexually satisfied by the petitioner and due to this reason his wife committed suicide by hanging. He submits that compromise has been done between the parties. He submits that in the entire case diary no material has come against the petitioner regarding complicity in the case. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 01.12.2019.

However, learned APP for the State opposes the prayer for bail.

Considering the fact that petitioner is the husband of the deceased, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for bail is rejected in connection with Kumarkhand P.S. Case No. 230 of 2019 pending before the court of the learned S.D.J.M., Madhepura.

However, learned trial court is directed to expedite the trial.

(Anjani Kumar Sharan, J)

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