

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29537 of 2021

Arising Out of PS. Case No.-765 Year-2017 Thana- BANKA District- Banka

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JYOTISH DAS Son of Late Gango Das Resident of Gonlawari, P.S. Banka,
District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Adv

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 22-03-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Banka
P.S.Case No.765 of 2017 registered for the offence under
Sections 302/34 of IPC.

The prosecution case, in short, is that the marriage of
the daughter of the informant, namely, Chandani Devi was
solemnized with this petitioner according to Hindu Rites, ten
years ago and out of the marriage, two female child and one
male child were born to them. It is further alleged that on
16.11.2017, the informant was informed that her daughter was
seek. On such information, the informant reached the
matrimonial house of his daughter, where he saw his daughter
lying on a Khat as dead and also found red abrasion mark on her



daughter's neck. On query, the Natni of the informant told the informant that her father and other killed her mother by pressing her neck due to an altercation took place between them. It is further alleged that the petitioner was influenced with alcohol at the time of committing alleged crime.

Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case only on the basis of hearsay. He further submits that there is not eye witness of the alleged occurrence.

On the other hand, learned A.P.P. for the State, on the basis of the material available on the record and the case diary, has stated that the daughter of the petitioner has clearly stated in her statement recorded under Section 164 Cr.P.C. that her father has committed murder to her mother.

Vide order dated 31.01.2022 a report was called for with regard to the stage of the trial. Report reveals that the trial is going on.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Banka P.S.Case No.765 of 2017 pending in the court of learned Chief Judicial Magistrate, Banka. Prayer is refused.

However, the learned Trial Court is directed to



expedite the trial.

(Rajesh Kumar Verma, J)

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