

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38502 of 2021**

Arising Out of PS. Case No.-16 Year-2020 Thana- TERHAGACHH District- Kishanganj

PANDU BESRA S/o Kubraj Besra R/o- Benugadh, Adiwasi Tola, P.S.-  
Tedhagachh, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mrityunjay Kumar, Adv

For the Opposite Party/s : Ms.Asha Devi, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

5      23-03-2022                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks bail in connection with  
Tedhagachh P.S.Case No.16 of 2020 registered for the offence  
under Section 306 of IPC but the chargesheet has been  
submitted under Sections 302 and 201 of IPC.

The prosecution case, in short, is that Chandni Baski,  
daughter of the informant Marang Baski, was married with Rubi  
Besra in the year 2004, from that wedlock she gave a birth of  
female child. As per the FIR in the year 2006 Rubi Besra  
expired and then in the year 2007 Chandni Baski remarried with  
his brother Pandu Besra and from the second wedlock she gave  
birth of three children, two daughters and one son. The further  
recital of the FIR is that accused Pandu Besra used to beat her,



on 12.03.2020 a panchayati was held to settle the matter but the accused continued to torture her. As per the FIR on 12.03.2020 she expressed before Susmita Hansda that she would not live alive, as her husband used to torture her. In the FIR it is shown that Lakhi Besra, daughter of Chandni Baski apprised the informant that accused Pandu Besra had beaten his wife and then she hanged in a field of Satnayaran Das from a mango tree.

Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case only that in fact the petitioner is husband of the deceased.

Vide order dated 28.02.2022 a report was called for with regard to the stage of the trial. Report reveals that the trial is going on. Out of nine witnesses, three have been examined.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the direct allegation of overt-act is there against the petitioner.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Tedhagachh P.S.Case No.16 of 2020 pending in the court of learned Sessions Judge, Kishanganj.

Prayer is refused.



However, the learned Trial Court is directed to expedite the trial.

**(Rajesh Kumar Verma, J)**

Nitesh/-

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