

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46198 of 2021

Arising Out of PS. Case No.-228 Year-2020 Thana- BARBIGHA District- Sheikhpura

PRAHLAD SINGH @ PRAHLAD KUMAR S/o Shambhu Sharan Singh @
Shambhu Singh R/o Village- Belao, P.S.- Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 304B, 201 and 34 of the Indian Penal Code.

As per the prosecution case, the sister of the informant was married to the petitioner herein. It is stated that the accused persons including the petitioner herein regularly tortured and beat-up the informant's sister which was communicated by her to her mother. The informant further states that it transpired that the accused persons had hanged her as a result of which she died.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of being the husband of the deceased. Referring to the



FIR of Barachatti (Mohanpur) P.S. Case no. 234 of 2018 it is submitted that prior to this marriage, a case was registered for disappearance under sections 366A and 34 of the Indian Penal Code wherein her statement was recorded under section 164 Cr.P.C and she had categorically stated therein that she had eloped with one Banti and would be marrying him. The marriage with the petitioner was a forceful marriage by members of her family. The cremation took place in presence of the informant and other family members. The petitioner is in custody since 27.1.2021 and has no criminal antecedent. Charge has been framed in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR together with the petitioner being the husband of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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