

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61608 of 2021**

Arising Out of PS. Case No.-107 Year-2019 Thana- NAUTAN District- Siwan

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Pappu Soni @ Pappu Kumar Soni, Son of Shyamdev Singh Soni @ Shyam Singh, Resident of Village - Jamanpura, P.S.- Rasulpur, District - Chapra (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Nath Dubey, Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 03-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Nautan P.S. Case No. 107 of 2019 registered for the alleged offences under Sections 302, 201 and 34 of the Indian Penal Code.

As per prosecution case, the daughter of the informant was estranged from her husband and had been living in her parental home. On the alleged date of occurrence, the petitioner called her out and later on, her dead body was recovered near a



pond.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There was no dispute between the husband and the wife and the petitioner himself left his wife at her parental home as she was feeling lonely and needed help in maintaining and looking after her three children. The informant is a greedy person and wanted to extort money from the petitioner and for the same, he filed the instant case and concealed the real fact. It has been said that the petitioner called out the deceased but no mobile numbers were given on which the call has been made. All the FIR named accused persons were living at different places. Moreover, on the date of occurrence, this petitioner was at Jammu and Kashmir. Learned counsel further submits that the other co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 20.07.2022 passed in Cr. Misc. No. 71866 of 2021. Charge-sheet has been submitted in this case and the petitioner is in custody since 18.03.2021.

Learned APP opposes the prayer for bail submitting that there is specific allegation against this petitioner and the cause of death is by strangulation and the witnesses in the case



diary have also supported the prosecution case.

Perused the records.

Having regard to the fact that the petitioner is the husband of the deceased and there is allegation that he called her out from her parental home and later on her dead body was recovered and cause of death is stated to be asphyxia due to strangulation, I am not inclined to grant bail to the petitioner. Hence, the prayer for bail is rejected.

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

(Arun Kumar Jha, J)

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