

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13871 of 2022

Arising Out of PS. Case No.-217 Year-2020 Thana- HARSIDHI District- East Champaran

BINOD SAH Son of Rama Sah Resident of Village - Manikpur, Rupdih,
Police Station - Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 31-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Sessions Trial No. 577 of 2021 arising out of Harisdhi P.S. Case
No. 217 of 2020 instituted for the offence under Sections
304(B)/34 of the Indian Penal Code.

As per allegation in the FIR, petitioner along with his
family members has tortured in various ways to the daughter of
the informant due to non-fulfillment of Rs. three lac, they killed
her by strangulating.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is husband of the deceased and has
been falsely implicated in this case. He was residing outside to
earn his livelihood and due to nationwide lockdown, during



corona, he returned back to his house and just after two days deceased herself committed suicide after a hot argument with her husband. He never demanded any thing from the deceased and her family members. Petitioner is in custody since 24.12.2020.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that during investigation, several witnesses have supported the prosecution story. As per postmortem report, which is mentioned in para 18 of the case diary, doctor has opined cause of death due to asphyxia caused by strangulation.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite and conclude the trial within a period of six months.

(Sunil Kumar Panwar, J)

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