

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30894 of 2022

Arising Out of PS. Case No.-127 Year-2020 Thana- LAUKAHA District- Madhubani

BHAGWANDATTA YADAV SON OF LATE DUKHI YADAV R/O- VILL-
CHANNIPUR P.S.- LAUKAHA, DIST.- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit

For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 14-03-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in connection with
Laukaha P.S. Case no. 127 of 2020, G.R. No. 670 of 2020
instituted for the offence under Section 302/34 of the Indian
Penal Code.

As per allegation in the FIR, while the informant and
her husband were at their house, petitioner and five other
accused persons came there with a view to kill her husband. It is
further alleged that petitioner and Daro Devi kill her husband by
strangulating.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to
previous enmity and land dispute. There is no specific allegation



against the petitioner for causing death by strangulation. There is case and counter case. In fact, it is a case of homicidal death. Petitioner is languishing in judicial custody since 10.02.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that as per postmortem report, deceased died due to asphyxia caused by strangulation. As per progress report, charge has been framed against the petitioner on 8.2.2023 u/s 302/34 IPC and the case has been posted for prosecution evidence. Several witnesses have supported the prosecution story during investigation.

Having heard the learned counsel for the parties and considering the nature of allegation and gravity of offence, 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.

(Sunil Kumar Panwar, J)

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