

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43959 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- SIMRI District- Darbhanga

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BINAY KUMAR PRASAD S/O LATE RAGHUBIR MAHTO R/O Village-
Bastwara, P.S- Simri, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Upendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 31-07-2023 1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Simri P.S. Case No. 48 of 2023 dated 2.4.2023, G.R. No. 1081 of 2023 registered for the offence punishable u/s 304B read with section 34 of the Indian Penal Code.
4. As per the prosecution case, the petitioner is alleged to have tortured and committed murder of the daughter of the informant by administering poison to her.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 3.4.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner is the husband of the deceased and he poisoned the daughter of the informant and killed her.

7. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I'm not inclined to enlarge the petitioner on bail. Accordingly, the application stands rejected.

8. Further, the learned trial Court is directed to expedite the trial and conclude the same at the earliest.

(Chandra Prakash Singh, J)

Ajay Singh/-

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