

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55690 of 2022

Arising Out of PS. Case No.-251 Year-2021 Thana- PIPRA District- East Champaran

Deepak Pandey Son Of Arun Pandey Village- Bhediban Madhuban, P.S.-
Pipra, Distt.- East Champaran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikash Kumar Pankaj

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 18-04-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 304(B) & 34 of the Indian Penal Code.

The accusation is of killing the daughter of the
informant by her in-laws family members including the
petitioner.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in this case. The petitioner is husband of
the deceased and the deceased was suffering from



depression. Moreover, in mid term of 2021, the deceased delivered a girl child which later further intensified her depression and made her quite violent, self-harming and impulsive. There is general and omnibus allegation against all the F.I.R named accused persons including the petitioner. The petitioner is languishing in custody since 30.09.2021.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that petitioner is husband of the deceased and he is fully responsible for the commission of murder of his wife. The postmortem report clearly shows that cause of death is *asphyxia* due to strangulation. Moreover, the independent witnesses in para 7, 8, 9 and 10 of the case diary have also supported the case of the prosecution.

Considering the fact that petitioner is husband of the deceased and the deceased died within two years of marriage, this Court is not inclined to grant bail to the



petitioner. The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same within a period of one year.

The petitioner will be at liberty to renew his prayer for bail, if the trial is not concluded within one year.

(Sunil Kumar Panwar, J)

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