

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73499 of 2022

Arising Out of PS. Case No.-272 Year-2020 Thana- DHANARUA District- Patna

Deepak Kumar, S/O Prithvi Raj @ Prithvi Raj Chauhan, Resident of village-
Hazrat Sain, P.S.- Dhanarua, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Ms. Kumari Anupam, Advocate
For the Opposite Party/s	:	Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 29-03-2023 Heard learned counsel for the parties.

The petitioner has renewed his prayer for grant of regular bail in a case registered under sections 304B and 34 of the Indian Penal Code.

As per the prosecution case, the accused persons including the petitioner herein who happens to be the husband of the deceased are said to have assaulted and tortured the daughter of the informant and have killed her. The informant states that she saw ligature mark around her neck as also injury on her head.

Learned Senior counsel appearing for the petitioner submits that the petitioner has been falsely implicated only for the reason of his being the husband of the deceased. There is no



eye-witness to the occurrence. Charges having been framed in the case, there is no chance of tampering with the evidence. The petitioner is in custody since 1.10.2020 and no witness has been examined on behalf of the prosecution inspite of charge having been framed on 17.1.2023. The petitioner undertakes to cooperate in the trial.

Heard learned A.P.P for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

In view of the contents of the report of the learned trial Court from which it transpires that the case was fixed for prosecution evidence on 27.1.2023 together with the submission of learned Senior counsel appearing for the petitioner that charge was framed on 17.1.2023, liberty is granted to the petitioner to renew his prayer for bail, in case there is no substantial progress in trial in the learned trial Court in six months.

(Partha Sarthy, J)

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