

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6713 of 2023

Arising Out of PS. Case No.-182 Year-2022 Thana- BHITAHHA District- West Champaran

Pramod Yadav S/O Prakash Yadav R/V- Chandarpur, Mahali Tola, P.S.-
Bhitaha, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Shantanu Kumar, APP

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

ORAL ORDER

9 15-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhitaha P.S. Case No. 182 of 2022 dated 09.10.2022 registered for the offences punishable u/ss 302, 201 of the Indian Penal Code and later on added Section 376 of the I.P.C.

3. As per the prosecution case, the informant married her daughter to one Jawahir Baitha 15 years ago. The husband of the deceased went out of the State for livelihood. On 09.10.2022, the informant got information that her daughter was killed and her dead body was kept in a paddy field. When the informant reached the place of occurrence, she found that her daughter was lying beheaded on the paddy field.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the one Dhurendar Chaudhary. Nothing 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 22.10.2022 .

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. It is further submitted that at the instance of the petitioner, the clothes worn by the petitioner at the time of murder of the deceased and the used *fasuli* having blood strained were recovered from the house of the petitioner. The petitioner in his confessional statement has stated the *modus operandi* as to how the occurrence took place. As per the post-mortem report, the cause of death is haemorrhage and shock due to cut throat.

6. Considering the aforesaid facts and circumstances of the case and the heinous nature of allegation levelled against the petitioner, I am not inclined to grant bail to the petitioner and, therefore, the bail petition of the petitioner is hereby rejected.

7. The Trial Court is directed to expedite the trial and conclude the same at the earliest.

8. The application stands rejected.

(Chandra Prakash Singh, J)

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