

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1871 of 2023

Arising Out of PS. Case No.-53 Year-2022 Thana- MEHANDIGANJ District- Patna

Rohit Kumar Son Of Mithilesh Yadav Resident Of Village - Ranipur Nichali
Gali Sangat Par, P.S. - Mahediganj, Distt. - Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Babalu Das Son Of Gopal Das Resident Of Village - Hajari Mohalla Nun Ka
Chauraha, P.S. - Khaj Kala, Distt. - Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjay Kumar

For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 11-01-2024 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 24.02.2023 passed by learned Special Judge, SC/ST Patna whereby the prayer for bail of the appellant in connection with Mehadiganj P.S. Case no. 53 of 2022 under Sections 302 and 34 of the Indian Penal Code and sections 3(2) V of SC/ST (Prevention of Atrocities Act) Act was rejected.

Allegation against the appellant along with other co-accused persons is that they committed murder of the informant's sister. It is further alleged that appellant had



solemnized two marriages and the deceased is one of them.

It is submitted by learned counsel for the appellant that he is innocent and has committed no offence. The appellant has no intention to disgrace the image of the informant in public view. He is husband of the deceased due to which he has falsely been implicated in this case. There is no prior complain in respect of harassment, assault and dowry demand. It is further submitted that deceased committed suicide by hanging due to quarrel took place with her *soutin*. Moreover, the appellant is languishing in judicial custody since 28.03.2022.

The application for bail is opposed by learned Spl. P.P. for the State and appellant is named in FIR and he had solemnized two marriages. Allegation against him in connivance with other to commit murder of informant's sister. During investigation, witnesses supported the prosecution case and as per postmortem report, doctor opined that the cause of the death of the deceased is due to compression around her neck and ligature mark was found. Appellant is husband of the deceased and he had full responsibility to keep his wife with dignity and honour which he did not do so.

Having heard learned counsel for the parties and



considering the aforesaid facts, I do not find it appropriate to grant bail to the appellant and, as such, the appeal stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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