

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43683 of 2023**

Arising Out of PS. Case No.-841 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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Pramod Yadav Son of Late Phool Chandra Yadav Resident of Village -
Najeerganj Shisho West, P.S.- Sadar (Mabbi O.P.), District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Saurav Anand, Adv.

For the Opposite Party/s : Mr.Parmanand Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

6 07-05-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Darbhanga Sadar (Mabbi O.P.) P.S. Case No. 841 of 2022
instituted for the offences under Section 302 of the Indian Penal
Code.

3. As per prosecution case, the accusation against the
sole accused/petitioner is of committing murder of the
Informant's daughter by strangulation.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is the husband of the deceased. Learned counsel



for the petitioner submits that the deceased was suffering from mental illness and has committed suicide by taking poisonous substance. He further submits that in the postmortem report, no any external or internal injury has been found and, as such, the viscera was preserved. He further submits that no independent witness has supported the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 12.12.2022 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that the petitioner is named in the F.I.R. There is specific allegation against the petitioner of committing murder of the deceased. The inquest report shows strangulation as the cause of death. He further submits that the viscera has been preserved and sent to F.S.L. for its chemical examination and the opinion regarding cause of death is reserved pending. Charge-sheet has also been submitted against the petitioner under Section 302/304(B) of the I.P.C. and the witnesses have also supported the prosecution case.

6. Considering the entire facts and circumstances of the case and taking into account the nature and gravity of the



offence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of nine months from the date of receipt/production of a copy of this order.

8. If the trial is not concluded within the aforesaid period of nine months, the petitioner will be at liberty to renew his prayer for bail before the court below which will be disposed of on its merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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