

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46647 of 2024

Arising Out of PS. Case No.-302 Year-2023 Thana- BARHARA KOTHI District- Purnia

DINESH BASKI SON OF BABURAM BASKI @ BABULAL BASKI
RESIDENT OF VILLAGE - HARIRAH, MISTRI TOLA, P.S. - BARHARA,
DISTRICT - PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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

ORAL ORDER

5 03-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barhara
P.S. Case No. 302 of 2023 instituted for the offences under
Section 302 of the Indian Penal Code.

3. Allegation against this petitioner is that he has
beaten his wife to death after consuming alcohol.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Learned counsel further submitted that petitioner has not committed any offence as alleged in the FIR but, as a matter of fact, the petitioner's wife herself committed suicide and her brother implicated him in the present case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.09.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel further submitted that there is specific allegation against this petitioner that he brutally assaulted his wife due to which she died and even as per post-mortem report, several bruises dangerous to life were found on the body of the deceased which supports that allegation as levelled in the FIR.

6. As per the stage report sent by the learned court below, the case is fixed for prosecution evidence and trial is likely to be concluded within a minimum nine months.

7. Considering the aforesaid facts and circumstances of the case and there being specific allegation against this petitioner which is corroborated by the post-mortem report as also the stage of the trial, this Court is not inclined to grant bail to the petitioner.

8. Prayer is rejected.



9. Learned trial Court is directed to expedite the trial.

10. However, if the trial is not concluded within a period of nine months from today, petitioner will be at liberty to renew his prayer for grant of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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