

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72951 of 2023

Arising Out of PS. Case No.-116 Year-2023 Thana- BIHIA District- Bhojpur

MUNNA YADAV @ MUNNA KUMAR YADAV Son of Sri Bhagwan Yadav
@ Bhagwan Yadav @ Sri Bhagwan Singh R/o Village - Dharhara, P.S.-
Bihiya, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection
with Bihiya P.S. Case No. 116 of 2023 instituted for the offence
under Sections 323, 341, 304(B), 34 of the Indian Penal Code.

3. As per allegation in the FIR, the informant alleged
that her sister was married with the petitioner in year of 2018
and thereafter, the petitioner along with his family members
subjected her to cruelty due to non-fulfillment of dowry
demand. Ultimately, on 7.5.2023 the informant came to that her
sister was murdered by strangulating her with wire and rope.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. The petitioner
is husband of the deceased due to which he has falsely been



implicated in this case. There is no prior complaint against the petitioner regarding torturing or misbehave the deceased. The petitioner has got no criminal antecedent and he is languishing in judicial custody since 1.6.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the death of the informant's sister was caused within seven year of her marriage. The petitioner is husband of the deceased upon whom the full responsibility to keep his wife well. It is also submitted that the postmortem report of the deceased supports the prosecution in which cause of death is opined due to strangulation.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. 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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