

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13759 of 2025**

Arising Out of PS. Case No.-196 Year-2024 Thana- KASMA District- Aurangabad

Ashok Mistri @ Ashok Sharma S/o- Late RAM Lagan Mistri Residents of
village- Bhedudi Ps- Kasma District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamendra Prasad Singh, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

4 16-07-2025 Heard Mr. Kamendra Prasad Singh, learned
counsel for the petitioner, Mrs. Renu Kumari, learned APP for
the State and perused the case diary.

2. The petitioner seeks bail in connection with Kasma
P.S. Case No. 196 of 2024, instituted for the offences punishable
under Sections 103 and 238 of the Bharatiya Nyaya Sanhita,
2023.

3. The prosecution case, in short, is that, the petitioner
has killed of informant's daughter by administering poison to
her and has also cremated her dead body to conceal the evidence
of crime.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that the deceased was having severe stomach pain and she was brought to the hospital for her treatment but in course of treatment she died. It is next submitted that dead body of the deceased was cremated with the consent of the informant. It is further submitted that the trial is in progress and two witnesses have already been examined. The petitioner is in custody since 01.11.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that the petitioner is alleged to have killed his wife by administering poison. On perusal of case diary it appears that the witnesses in their statement in paragraph nos. 2, 3, 10, 11 and 12 have supported the prosecution case and have also stated that on account of keeping jewellery, the petitioner brutally assaulted his wife (deceased) by means of *lathi*, *danda*, fists and slaps.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial. However, if the trial is not concluded within a



period of six months from the date of receipt/production, the petitioner will have liberty to renew his prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

Rajorshi/-

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