

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68179 of 2024

Arising Out of PS. Case No.-676 Year-2023 Thana- HISUWA District- Nawada

Abdhesh Prasad @ Awadhesh Prasad, S/o- Baleshwar Mahton, Resident of
Village- Dumari, P.S. - Hisua Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Nandan Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 17-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Hisua P.S. Case No. 676 of 2023 instituted for the offence under
Section 304(B) of the Indian Penal Code.

3. The case of the prosecution is that the daughter of the
informant, namely, Rajni Devi was married two years ago with
the petitioner. After some month of the marriage, the petitioner
started demanding Rs. 5 Lakhs. It is stated that Rs. 2.5 Lakhs was
handed over to him. It is further alleged that on 02.12.2023 at
about 5.00 A.M., the informant received an information that the
dead body of his daughter lying outside the house. The informant
reached there and found that the dead body of the deceased was
lying outside the house.



4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. He has been falsely implicated in the present case. He is aged about 53 years. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 02.01.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that from perusal of the postmortem report, it transpires that the doctor has found ligature mark on the neck and the cause of death is strangulation /throttling. Since the death of the deceased has been caused in the matrimonial house and there is material on record to show that the death was otherwise/not normal. The cause of death is strangulation/throttling and petitioner is the husband.

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 at this stage and, as such, his prayer for bail stands rejected.

(Ashok Kumar Pandey, J)

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