

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76156 of 2024

Arising Out of PS. Case No.-146 Year-2023 Thana- BANKA District- Banka

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Rohit Yadav @ Rohit Jadav Son of Late Hari Yadav Resident of Vill.- Bad Mahua, P.S.- Banka, Dist.- Banka. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr.Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 24-01-2025 Heard the learned Advocate for the petitioner and the learned APP for the State.

2. The petitioner seeks regular bail, who is in custody in connection with Sessions Trial No. 453 of 2023, arising out of Banka P.S. Case No. 146 of 2023, registered for the offence punishable under Sections 498(A) and 304(B)/34 of the Indian Penal Code.

3. This is the second attempt made on behalf of the petitioner, as earlier, the prayer for bail of the petitioner was turned down by this Court in Cr. Misc. No. 58964 of 2023 vide order dated 23.01.2024, after considering the cogent materials available against the petitioner, coupled with the post-mortem report, disclosing the ligature mark around neck of the deceased and several abrasion over the body.

4. Learned Advocate for the petitioner contended that the petitioner is the victim of circumstance and only on account



of he being husband of the deceased has been incarcerated since 16.04.2023. There is omnibus nature of allegation. Nonetheless, on the last occasion, the prayer for bail of the petitioner was turned down, the trial Court was directed to expedite the trial but the same has not been concluded and nor there is any possibility, as such.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the prayer of the petitioner have already been turned down earlier and there is no other ground for reconsideration of the prayer. Moreover, the matter is kept pending for defense evidence and there is every possibility of conclusion of trial in near future.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the trial is at the fag end and there is no other overwhelming circumstances to consider the case of the petitioner afresh, this Court is not acceded to the prayer for bail of the petitioner.

7. The bail application stands rejected.

8. It is expected that the learned trial Court shall take all the endeavours to conclude the trial, as early as possible.

(Harish Kumar, J)

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