

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27248 of 2016

Arising Out of PS.Case No. -805 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

=====

Shambhu Yadav, Son of Ram Jeevan Yadav, Resident of Maharaj Ghat
Road, Barikhanjarpur, P.S. Barari, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey, APP

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 05-09-2016 Heard learned counsel for the petitioner, learned Additional

Public Prosecutor for the State and learned counsel for the

informant.

The petitioner being the husband of the deceased is
languishing in custody since 24.05.2016 in a case registered for
the offences punishable under Section 304B/34 of the Indian
Penal Code.

The informant claims that her daughter was done to death
by the husband and other in-laws due to none fulfillment of
illegal demand of Rs. 1 lac but in her fardbeyan she admitted that
the younger brother of the petitioner had given information to her
about the condition of the deceased on 10.12.2015 and having got

the aforesaid information she reached Mayaganj Hospital, Bhagalpur, where she found her daughter dead. The fardbeyan of the informant also reflects that the marriage of the petitioner had taken place with deceased five years ago and after marriage the deceased gave birth to two children out of the aforesaid wedlock. In course of investigation the family members of the informant supported the prosecution case but some witnesses who happen to be the tenants of petitioner stated that deceased committed suicide. The post-mortem report of the deceased incorporated by the IO at Para 25 of the case diary also goes to show that the Doctor found the cause of death was asphyxia due to hanging. Moreover, the investigation against the petitioner has already been completed.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Barari) P.S. Case No. 805 of 2015.

(Hemant Kumar Srivastava, J)

Prakash/-

U		T	
---	--	---	--