

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14477 of 2017

Arising Out of PS.Case No. -208 Year- 2016 Thana -HARLAKHI District- MADHUBANI

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Shailendra Kumar Yadav, Son of Bisheshwar Yadav @ Manejar Yadav,
Resident of Village – Phullar, P.S. Harlakhi, District - Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. D.K. Sinha, Sr. Adv.
Mr. Gagan Deo Yadav, Adv.
For the Opposite Party/s : Mr. Sri Jagdhar Prasad, Adv.
For Informant : Mr. Soban Ashar, Adv.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-04-2017 The petitioner is in custody since 04.11.2016 in connection with Harlakhi P.S. Case No. 208 of 2016, registered for offences punishable under Sections 304(B) and 34 Indian Penal Code.

It has been submitted on behalf of the petitioner that even according to F.I.R, there is no demand of dowry as such no question for cruelty or torture arises, and, therefore, no offence under Section 304B Indian Penal Code is made out against the petitioner. So far other allegations are concerned, it has been submitted that as a matter of fact the deceased was suffering from disease and it is the petitioner, who used to take the deceased to hospital for her treatment and large number of witnesses have also supported this fact and as such, petitioner cannot be made



responsible for death of the deceased. Petitioner has been in judicial custody since 04.11.2016 and now the charge-sheet has been submitted in this case.

Heard learned A.P.P. as well as learned counsel for the informant. They have opposed the prayer for bail and submitted that some injuries were found on the person of the deceased and the death of the deceased was caused due to asphyxia by strangulation.

Having heard both sides, in view of the fact that deceased died due to strangulation and there were some injuries found on the person of the deceased, as such, I am not inclined to grant the petitioner the privilege of regular bail, it is accordingly rejected.

However, the trial court is directed to expedite the trial and try to conclude it as early as possible.

(Vinod Kumar Sinha, J)

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