

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6330 of 2017

Arising Out of PS.Case No. -148 Year- 2016 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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Shrikant Yadav Son of Shanker Yadav Resident of Village- Banhaura, P.S.
Nautan, District West Champaran. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amarendra Nath Verma

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 04-04-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Nautan P.S. Case No. 148 of 2016 registered for the offence punishable under Sections 302/34 of the of the Indian Penal Code.

Geeta Devi, the sister of the informant, was married to the petitioner on 22.05.2005, after five years second marriage was performed in the year 2011 and in the year 2014 out of the wedlock a daughter was born, resulting, the petitioner and others started torturing her for giving birth of a daughter and the petitioner used to assault her brutally and further demanded Rs. 1,00,000/- and vehicle and one day ousted her from the in-laws house and then she was brought by the informant. After some times the petitioner brought back the sister of the informant and then the petitioner and other in-laws assaulted her and ultimately they killed her and made the daughter of the sister of the informant traceless.



Submission is of false implication and that there is no specific allegation against the petitioner, the allegations are general and omnibus in nature. After 11 years of marriage the death has been caused, in post mortem report the cause of death has not been ascertained, no ante-mortem injuries have been found on the body of the deceased which cannot be said sufficient to cause death and from viscera report it appears that it is not a case of poisoning. In this case co-accused Shankar Yadav has been allowed bail vide Cr. Misc. No. 42705 of 2016 whereas Devrati Devi has been allowed bail vide Cr. Misc. No. 54510 of 2016 and as such the petitioner deserves sympathetic consideration.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that all the witnesses have supported the prosecution version and the petitioner being the husband is responsible for the death of his wife.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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