

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38269 of 2018

Arising Out of PS.Case No. -28 Year- 2016 Thana -KOTHIGRAM District- GAYA

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Ashok Yadav, Son of Dularchand Yadav, resident of Village- Lohadi Tola
Fatushiyadih, P.S. Kothi, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 23-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kothi P.S. Case No.28 of 2016 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code.

The informant of this case is the father of deceased. It
is alleged that his daughter was married with this petitioner on
11.05.2014. This petitioner and his family members used to
demand a motorcycle. The said demand was not fulfilled on
account of his poverty and so the petitioner and other accused
committed murder of the deceased by strangulation.

It has been submitted that the allegation is omnibus. In
course of investigation, some of the witnesses have stated



that she died on account of snake bite. The doctor has also not found any external injury on the person of the deceased so no offence under section 304B/34 of the I.P.C. is made out.

The learned A.P.P. for the State opposed the submission.

On perusal of F.I.R. and case-diary, I find that this petitioner is husband of the deceased. The unnatural death of deceased took place in the matrimonial house within two years of her marriage. In course of investigation, the informant and witnesses have supported the allegation of demand. In the postmortem report, I find that the doctor has found abrasions at three places on left side of chin which are ante-mortem caused by hard and blunt forces.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer of bail is accordingly rejected.

(Sanjay Kumar, J)

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