

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38653 of 2019

Arising Out of PS. Case No.-523 Year-2018 Thana- BANKA District- Banka

SONU YADAV Son of Chhotan Yadav, Resident of Village - Sanhola, P.S.-
Banka, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandan Prasad, Adv.

For the Opposite Party/s : Mr.Arun Kumar Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 25-06-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Banka P.S. Case No. 523 of 2018
registered for offence punishable under sections 328 and 302 of
the Indian Penal Code.

The marriage of victim was solemnized with the
petitioner and allegation has been made that the petitioner used
to torture and assault the victim. On 04.08.2018 at about, the
victim had given a call to the informant and narrated about the
torture perpetrated upon her. The informant went there and
returned from where after reconciling the matter. On the same
day, at about 4:00 P.M., the informant received an information
that his sister is unconscious whereupon the informant and his



family members went there. Allegation has been made that the petitioner and his family members assaulted the victim and administered poison forcibly. The informant carried his sister to the hospital where she was declared dead.

The learned counsel for the petitioner submits that the death has occurred in the *maike* of the deceased, but the court below in the impugned order has recorded about the death of deceased after examining the paragraphs 3, 4, 14 and 16 of the case diary, are statement of witnesses.

In such view of the matter, this Court is not inclined to grant bail to the petitioner and accordingly his prayer for bail is rejected. However, if the petitioner surrenders within a period of three weeks, the court below without being prejudiced by this order, will take decision in accordance with law.

(Shivaji Pandey, J)

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