

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55324 of 2019

Arising Out of PS. Case No.-494 Year-2009 Thana- KHAGARIA District- Khagaria

Bakheri Yadav, Son of Pramod Yadav, Resident of Village-Chandarnagar,
P.S.- Muffasil Khagaria, Dist.- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Roshan Kumar Mishra, Advocate
For the Opposite Party : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks bail in connection with
Khagaria (Mufasil) P.S. Case No.494 of 2009 registered under
Sections 328, 304B and 201 read with 34 of the Indian Penal
Code

It is submitted by the learned counsel for the
petitioner that though an allegation has been made that for non-
fulfilment of demand of dowry, the petitioner killed his wife, but
the doctor, who conducted the postmortem examination did not
find any antemortem injury on the person of the deceased. The
viscera was preserved and sent for chemical examination, but
the report has not yet been collected by the investigating officer
of the case. It is further contended that the victim, who was



married to the petitioner about four years ago had consumed poison and committed suicide due to matrimonial discord and incompatibility. However, there is no truth behind the allegation that she was being subjected to cruelty for non-fulfilment of demand of motorcycle soon before the death.

Learned counsel for the State has opposed the application for grant of bail to the petitioner. He has submitted that by now the case has already been committed to the court of sessions and charges have been framed.

Regard being had to the nature of the offence and the materials on record, the application for bail is rejected for the present.

The trial court is directed to conclude the trial within nine months from the date of receipt/production of a copy of the order, failing which the petitioner shall be at liberty to renew his prayer for bail before the court below itself.

(Ashwani Kumar Singh, J.)

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