

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69453 of 2019

Arising Out of PS. Case No.-234 Year-2019 Thana- NATHNAGAR District- Bhagalpur

Sachin Kumar @ Sachin Yadav @ Matra son of Raj Kumar Yadav
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner as well as learned
Additional Public Prosecutor for the State and learned counsel for the
informant.

Initially, the case was registered under section 304B and
302, 484/34 of the Indian Penal Code but admittedly, charge sheet has been
submitted under section 302 and other minor sections of the Indian Penal
Code.

Submission on behalf of the petitioner is that section 304B
of the Indian Penal Code is not attracted in the present case because it is
admitted case of the prosecution that the marriage of the deceased with the
petitioner took place on 05.03.2011 and the deceased died on 12.05.2019
that is much after seven years of marriage.

Learned counsel for the petitioner further submits that the post
mortem report of the deceased goes to show that she committed suicide.
He further submits that no doubt, in the first information report, it has been
mentioned that the petitioner solemnized his second marriage but as a
matter of fact, petitioner has not solemnized his second marriage, but even



if it assumed to be true, then also, mere solemnization of second marriage by the petitioner is itself not an indicative of abatement to the deceased to commit suicide.

Learned counsel appearing for the petitioner opposes the prayer for bail submitting that the dead body of the deceased was found in the house of the husband of the deceased and the witnesses in course of investigation, specifically, stated that deceased was subjected to cruelty and harassment by the petitioner and other family members due to non fulfillment of illegal demand.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Bhagalpur in connection with Nathnagar P.S. Case No. 234 of 2019.

(Hemant Kumar Srivastava, J)

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