

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74279 of 2018

Arising Out of PS. Case No.-97 Year-2018 Thana- TRIVENIGANJ District- Supaul

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Amod Yadav Son of Shiv Ram yadav Resident of Village- Gamharpur, P.S.
Triveniganj, Distt.-Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dinesh Choudhary
For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-02-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Triveniganj P. S. Case
No. 97 of 2018 instituted for the offence under Section(s) 302,
328/34 of the Indian Penal Code.

Petitioner is husband of the deceased.

In the written report, it is alleged that daughter of
informant was married with petitioner 10 years ago. She has
given birth to one son and one daughter out of said wedlock.
Thereafter, petitioner had performed second marriage in the
life time of her daughter and started committing torture for
which *Panchayati* was also held. Thereafter, she was living
with this petitioner but relation was not restored. It is further
alleged that case was earlier filed by daughter of informant for



committing torture but the same was compromised by the petitioner. It is further alleged that on 10.3.2018, the petitioner and other family members assaulted daughter of informant and poisoned her to death.

Case diary has been received, wherein, the postmortem report is available.

Learned APP after looking into the case diary has submitted that witnesses have stated about the torture committed by this petitioner. He further submits that it has come in the inquest report that death has occurred due to poisonous substance.

The postmortem report of the deceased shows that various viscerae have been preserved for chemical Analysis. The cause of death could not be ascertained.

In such circumstances, from the postmortem report it appears that unnatural death has taken place of daughter of informant in her Sasural. The petitioner subjected her to torture both physically and mentally for which she had earlier filed a case. The petitioner had performed second marriage in the life time of daughter of informant. Therefore, this Court is not inclined to grant bail to the petitioner at this stage. The prayer for bail of the petitioner stands rejected.



Trial Court is directed to expedite the trial and make efforts to conclude the same as early as possible preferably within a period of nine months from the date of receipt of copy of this order.

Petitioner may renew his prayer for bail after nine months in the event trial is not concluded within the aforesaid period.

(Sanjay Priya, J)

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