

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19156 of 2020

Arising Out of PS. Case No.-29 Year-2017 Thana- RAHUI District- Nalanda

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AJIT YADAV@ AJEET KUMAR Son of Mahendra Yadav Resident of Village
- Derhdhara, P.S. - Rahui, District - Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 24-11-2020 Heard Mr. Arvind Prasad Singh, learned counsel
for the petitioner and learned APP for the State.

The petitioner, who is the husband of the
deceased, seeks bail in anticipation of his arrest in
connection with Rahui P.S. Case No. 29/2017 dated
21.02.2017 instituted for the offence under Section 304 (B)
and 34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted
that though the petitioner is the husband of the deceased
but in the prosecution version, no allegation has been
saddled on him and the entire accusation is against his
father and brother, who have been granted anticipatory bail



by a Bench of this Court. It has further been submitted on behalf of the petitioner that he was in Bangalore when his wife had committed suicide. With the help of the villagers, the door of the room in which the deceased was found hanging, was broken open. The marriage between the petitioner and the deceased was out of their own volition. Even after the investigation, the police submitted a report under Section 173 Cr.P.C., holding the case to be of the kind in which the evidence was highly deficient.

However, considering the fact that the petitioner is the husband of the deceased and no positive explanation has been offered during the investigation about the cause and the motive for the deceased committing suicide, I am not inclined to grant anticipatory bail to him.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the Court below and seeks bail, the Court below shall take into account all such facts which have been stated above and shall pass orders in accordance with law without being prejudiced by the fact that the present petition for



anticipatory bail has not been entertained.

(Ashutosh Kumar, J)

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