

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.14392 of 2020

Arising Out of PS. Case No.-105 Year-2019 Thana- ALINAGAR District- Darbhanga

Ram Kumar Yadav Son of Binde Yadav Resident of Village- Andouli, P.S.-
Ali Nagar, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushal Kumar Jha, Adv.

For the Opposite Party/s : Ms.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 24-06-2020 Heard learned counsel for the petitioner and learned
A.P.P for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Alinagar P.S. Case no.105 of 2019 registered under sections 304B, 498A, 120B and 34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

As per allegation in the F.I.R., the daughter of the informant was married to the petitioner about 3 years back and a girl child was born out of the said wedlock. It is stated that the petitioner started making demand for a motorcycle and also started to torture the informant's daughter by abusing and beating her up. It is stated that on 25.10.2019 the petitioner called up to inform that the informant's daughter had died. On reaching his daughter's house he could see ligature mark around his daughter's neck.

It is submitted by learned counsel for the petitioner



that from perusal of the F.I.R it would transpire that as per allegation there were some dispute between the husband and wife over her suspecting his relationship with his widow *Bhabhi*. It is further submitted that the cause of suicide is stated to be her such suspicion. It is further submitted that in course of investigation it has also transpired that there were some differences between the husband and wife over the wife beating up their child which led to her committing suicide. Learned counsel for the petitioner submits that it is not a case under section 304B and charge sheet has been submitted under sections 306/34 of the Indian Penal Code. The petitioner has no criminal antecedent and is in custody since 8.11.2019.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the nature of allegations against the petitioner who happens to be the husband of the deceased, the Court is not inclined to enlarge the petitioner on bail. As such the application for bail is rejected.

(Partha Sarthy, J)

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