

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20597 of 2020**

Arising Out of PS. Case No.-198 Year-2019 Thana- MANER District- Patna

=====

Gopal Yadav aged about 38 yrs, son of Gama Yadav, resident of village-  
Darbeshpur, P.S- Maner, Dist- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Sucheta Yadav

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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

ORAL ORDER

3      05-10-2020                      Heard learned counsel for the petitioner as well as  
  
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the  
  
offences punishable under Sections 304B, 201/34 of the Indian  
  
Penal Code.

Petitioner happens to be husband of the deceased and  
  
after investigation, charge sheet has been submitted for the  
  
offence punishable under section 304 B, 201/34 of the Indian  
  
Penal Code.

Para-3 of the case diary goes to show that mother of  
  
deceased admitted that marriage of deceased with the petitioner  
  
had taken place in the year 2010 and admittedly, deceased died  
  
in the year 2009. The petitioner has annexed marriage certificate



which goes to show that marriage of deceased with the petitioner was solemnized on 10.05.2010, therefore, the aforesaid fact prima facie goes to show that Section 304B of the Indian Penal Code is not applicable in this case.

Admittedly, dead body of the deceased was not recovered. However, it is submitted that deceased was mother of three children and she wanted to reside separately from her in-laws and when her aforesaid desire was not fulfilled, she committed suicide.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that investigation against the petitioner has already been completed, 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 Judicial Magistrate, Danapur in connection with Maner P.S. Case No. 198 of 2019.

**(Hemant Kumar Srivastava, J)**

N.K/-

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