

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23011 of 2020**

Arising Out of PS. Case No.-143 Year-2019 Thana- ARIYARI District- Sheikhpura

Pintu Yadav aged about 25 years Sex – Male, Son of Rajo Yadav, Resident of
Village- Mahuli, Police Station- Ariyari Sheikhpura, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

5 09-11-2020 Heard Mr. Bipin Kumar, learned counsel for the
petitioner and Mr. Mritunjay Kumar Nirala, learned counsel
appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Ariyari P.S. Case No. 143 of 2019 registered for the offence
under Section 304 (B) / 34 of the I.P.C.

The allegation as per the First Information Report is
that the sister of the informant was married six years back with
the petitioner and it has been alleged that after marriage the
accused persons started demanding motorcycle and golden
chain as dowry and due to non fulfillment of the demand the
petitioner along with other accused persons tortured mentally as
well as physically the sister of the informant and on 11.09.2019
the informant came to know that the petitioner along with other



accused persons have killed the sister of the informant by hanging.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged. Learned counsel further submits that petitioner has falsely been implicated in this case and the allegation against him is general and omnibus in nature. Learned counsel also submits that petitioner was working in Delhi and at the time of occurrence he was not present in his village.

On the other hand, learned counsel for the State referring to the case diary submits that marriage of the sister of the informant was solemnized with the petitioner six years back and within seven years of marriage she has died in her matrimonial home in suspicious condition and there is presumption against the petitioner under Section 113B of the Evidence Act as such the petitioner does not deserve the privilege of regular bail.

Having heard learned counsel for the parties and taking into consideration the materials available on record and the fact that within seven years of marriage the deceased has died in her matrimonial home in suspicious circumstances, I am not inclined to grant regular bail to the petitioner at this stage.



Accordingly, the same is rejected.

However, the petitioner may renew his prayer for regular bail after completion of one year from today if the trial does not show any progress.

(Anil Kumar Sinha, J)

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