

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21587 of 2020

Arising Out of PS. Case No.-229 Year-2019 Thana- PANDAUL District- Madhubani

Shakti Yadav @ Sanjay Yadav Son of Late Turanat Yadav Resident of Village-
Bihnagar, P.S.- Pandaul, District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 21-09-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

Petitioner seeks bail in Pandaul P.S. Case No. 229 of
2019 registered for the offence under Sections 302, 304(B) read
with Section 34 of the Indian Penal Code.

As per prosecution case, daughter of the informant
(deceased) was married with petitioner one year ago and she
was living in her matrimonial home, but it is alleged that on
25-09-2019 at about 10:00 AM, the informant received an
information that his daughter has been killed by the accused
persons by strangulation. After getting this information, the
informant with his family members went there and found the
dead-body of his daughter lying on the floor and after query, he
came to know that accused persons, as named in the FIR, have



killed his daughter by tying rope in her neck.

It is submitted on behalf of petitioner that petitioner is husband of the deceased. It is further submitted that there is no allegation of demand of dowry. The petitioner is living outside State and on the date of occurrence, he was not present at the place of occurrence. It is further submitted that in fact, the deceased wanted to live with petitioner in Bangalore and later this petitioner refused to take her to Bangalore, she committed suicide. The petitioner is in custody since 16-10-2019.

However, learned A.P.P. for the State has vehemently opposed the bail application and submitted that on perusal of *post-mortem* report, it is evident that death has been caused by strangulation and deceased was found dead in her matrimonial house and petitioner, who is husband of the deceased, may not be enlarged on bail.

Considering the aforesaid facts & circumstances and materials available on record, I am not inclined to grant bail to petitioner. Accordingly, the bail application is rejected.

(Prabhat Kumar Singh, J.)

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