

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15744 of 2021

Arising Out of PS. Case No.-912 Year-2019 Thana- SAHARSA SADAR District- Saharsa

Subhash Yadav @ Subhash Kumar S/O Madan Yadav R/o village- Simraha,
Ward No. 35, P.S.- Sharsa Sadar, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 14-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred the instant application for grant of regular bail in a case registered under sections 363 and 366 of the Indian Penal Code.

As per allegations in the F.I.R., the six named accused persons including the petitioner herein who happens to be the son-in-law of the informant tortured and assaulted the daughter of the informant for non-fulfillment of dowry to the tune of Rs.5 lacs, over payment of monthly installment of a tractor purchased by the informant and gifted to the petitioner. It is stated that the daughter of the informant has been made to disappear by the accused persons.

It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case because of his being the husband of the daughter of the informant. It has transpired in course of investigation that the informant's daughter was mentally unstable and was being treated for the same. In the year 2013, the wife of the petitioner was forcibly taken away by her brother for which an informatory petition was filed by the mother of the petitioner. In investigation the filing of the informatory petition has been found to be correct. Ever since the said occurrence, the wife of the petitioner was living with her parents in her *naihar* and disappeared from her *naihar*. The petitioner has been falsely implicated in the case. No incriminating material has transpired in course of investigation. He is in custody since 14.8.2020 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and on going through the materials on record it transpires that although the filing of the informatory petition by the mother of the petitioner in the year 2013 has been found to be true, however, there is no explanation of the steps taken by the petitioner from 2013 and 2019. Further whereabouts of the daughter of the informant who was married to this petitioner is still not known.



In the facts of the case, the Court is not inclined to
enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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