

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27949 of 2021**

Arising Out of PS. Case No.-13 Year-2020 Thana- ANTICHAK District- Bhagalpur

Uday Kumar Yadav, Son of Arjun Yadav, Resident Of Village - Alipur, P.S.-
Antichak, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Shailendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 23-12-2021 Heard the learned Advocate for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with S.T.
No.227 of 2020 arising out of Antichak P. S. Case No.13 of
2020, instituted for the offences under Sections 302, 201, 34 of
the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 16.04.2020, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

The learned counsel for the petitioner further submits
that the informant in the F.I.R. alleges that her daughter Sangita
Devi (deceased) was married with this petitioner in the year
2011 and out of the wedlock, a son and three daughters were



born. It is further alleged that on 01.04.2020, the informant got information that her daughter has been killed by pouring kerosene oil by the accused persons and the dead body was thrown in an open field.

The learned counsel for the petitioner submits that from perusal of the allegation, it would manifest that the informant does not allege that any dowry was being demanded. The marriage was of the year 2011 and out of the wedlock, four children were born and it was during Corona period that the petitioner, who works as labourer in a shop, was facing paucity of fund, which led to rift between the petitioner and the deceased.

The learned counsel for the petitioner further submits that during the course of investigation, also it has come that on the date of occurrence, there was a fight between the petitioner and the deceased and thereafter, the petitioner left for the shop where he works and the deceased out of anger committed the suicide in an open field by pouring kerosene oil. The learned counsel further submits that petitioner has four children and presently they are staying with their uncle (Chacha). It is submitted that since mother has committed suicide and father is in custody. The children, who are of a tender age, would not be



taken good and proper care by the relatives for long.

Learned A.P.P. opposes the bail application, but fairly submits that in the investigation, it has come that the body was found in an open field, but opposes the bail on account of the petitioner is the husband.

Considering the fact that the petitioner is in custody since 16.04.2020, he is a person with clean antecedent, charge-sheet has been submitted in this case, charges have been framed and that children are still of tender age, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st, Bhagalpur in connection with Antichak P. S. Case No.13 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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