

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32172 of 2020

Arising Out of PS. Case No.-143 Year-2020 Thana- DARBHANGA SADAR District-
Darbhanga

BIJENDRA YADAV @ BIJENDRA KUMAR YADAV, S/o Binde Yadav, R/o
village- Laxmipur, P.S.- Sadar, District- Darbhanga ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Abhay Kumar Singh, Adv.

For the State : Mr. Nirmal Kumar Sinha, APP

For the Informant : M/s Rajendra Kr. & Gajendra Kr. Singh, Adv.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 13-04-2021

Heard the parties through video conferencing.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Darbhanga Sadar P.S. Case No. 143 of 2020, pending in the Court of
the Chief Judicial Magistrate, Darbhanga, registered under Sections
323 and 498A/34 of the Indian Penal Code and 4 of the Dowry
Prohibition Act. Later on Section 304B/34 of the Indian Penal Code
is added.

The accusation is that informant, Mithilesh Devi, performed
the marriage of her daughter, Santoshi Devi, on 17.05.2015 with the
petitioner according to the Hindu custom, but, she was being tortured
for demand of cash of rupees five lakhs. In the meantime, she was
blessed with a female issue, in spite of that she was being tortured
through various modes and removed from her matrimonial house.
Her daughter, again, went her sasural, but, she was again tortured. On
23.03.2020 at about 090.00 p.m. she was informed by the villagers of



her daughter about attempt of committing suicide by her daughter who has been rushed to Darbhanga Medical College and Hospital for treatment. Thereafter, informant went to Darbhanga Medical College and Hospital where she found her daughter in critical condition.

Submission is that petitioner is the husband of the deceased. In fact, the deceased, the wife of the petitioner, made attempt to commit suicide, as she did not want to live with the parents of the petitioner, but, at that time, she was saved, rushed to hospital and died in course of treatment after three months of the occurrence. Further, submission is that none of the sasural people of the deceased had stated about making demand of dowry.

Having regard to the facts and circumstances of the case, I am not inclined to grant the privilege of pre-arrest bail to the petitioner. The prayer for pre-arrest bail is **rejected** with direction to the petitioner to surrender before the Court below and seek regular bail, which shall be considered by the trial Court on its own merit, without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

Shamshad/-

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