

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32205 of 2020

Arising Out of PS. Case No.-20 Year-2020 Thana- MARAUNA District- Supaul

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Birendra Kumar Yadav, aged about 23 years, S/o Krishna Kumar Yadav @
Chhotki Yadav, Resident of Village-Belhi, P.S.-Marauna, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
For the State : Mr. Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 05-01-2021

Heard Mr. Gagan Deo Yadav, learned counsel for the petitioner and Mr. Ajay Kumar No. 2, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

2. The petitioner is in custody in connection with Marauna PS Case No. 20 of 2020 dated 05.02.2020, instituted under Sections 304B/201/34 of the Indian Penal Code.

3. The petitioner, who is the husband of the deceased, is accused of killing her and burning the body due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submitted that the allegation is false and the informant’s side was informed but they did not come to participate in the cremation.

5. Learned APP submitted that the deceased had



committed suicide by pouring kerosene oil herself shows that the death was unnatural and it was the result of burning and still the petitioner not informing the police and also not waiting for the informant to come and participate in the last rites is a major indicator that the crime was committed by the accused and to destroy evidence the body was burnt.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

8. However, learned counsel for the petitioner shall file the main application supported by affidavit in the High Court latest by tomorrow.

(Ahsanuddin Amanullah, J)

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