

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3403 of 2022

Arising Out of PS. Case No.-60 Year-2021 Thana- CHANDAN District- Banka

Balkrishna Yadav Son of Late Lalmuni Yadav Resident of Village- Ahara, Po-
lice Station Chandan (Anandpur), District- Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s: Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 05-09-2022

Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Chandan (Anandpur) P.S. Case No. 60 of 2021 registered for the offence under Section 304(B)/34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 11.11.2021.

The allegation against the petitioner, who is the husband, to cause death of his wife/deceased for non-fulfillment of demand of dowry for a cash of Rs. 50,000/- and one motorcycle.



Learned counsel appearing on behalf of the petitioner submitted that present is a case of suicide out of family frustration. It is further pointed out that witnesses, during the course of investigation, suggested that there was no mental or physical torture or even demand of dowry. It is also submitted that post-mortem report suggest neither internal nor external injuries, where cause of death is still to ascertain. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that there is no external or internal injuries, as per post-mortem report.

Considering the facts and circumstances as mentioned above, as witnesses during the course of investigation denied allegation of torture or demand of dowry, where post-mortem report is not suggesting any external or internal injuries coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Chandan (Anandpur) P.S. Case No. 60 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction ofn
learned Chief Judicial Magistrate/Successor Court Banka/con-
cerned court, subject to the following conditions as laid down
u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja-Archana/-

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