

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18657 of 2021

Arising Out of PS. Case No.-240 Year-2019 Thana- HARLAKHI District- Madhubani

SARVAN YADAV @ SHRAVAN YADAV Son of Ramekbal Yadav Resident
of Village - Kalna, P.S. - Harlakhi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 04-01-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302, 201 and
34 of the Indian Penal Code.

As per the prosecution case, the daughter of the
informant who was married to the petitioner herein was done to
death on account of the informant not giving the amount to the
daughter's in-laws family for purchase of land.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case only
on account of his being the husband of the deceased. The
marriage of the petitioner with the deceased took place 14 years
ago. Referring to the documents brought on record with respect
to the case under section 376 of the Indian Penal Code lodged



by the deceased against a stranger, it is submitted that the petitioner as also the other members of the family fully supported her in the said case. There has been no allegations against the petitioner in the past. The petitioner is in custody since 2.12.2019 and has no criminal antecedent. There is no chance of the trial concluding in the near future.

The application for bail is opposed by learned A.P.P. for the State who submits that there is direct allegation in the FIR against the petitioner and in the postmortem report the cause of death is stated to be asphyxia due to strangulation.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the allegations in the FIR and the material which has transpired in course of investigation specially the postmortem report, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

Spd/-

U		T	
---	--	---	--

