

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42845 of 2021**

Arising Out of PS. Case No.-462 Year-2020 Thana- DARBHANGA SADAR District-  
Darbhanga

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Chandrashekhar Yadav @ Chandra Shekhar Yadav Son of Jai Narayan Yadav  
@ Jaynarayan Singh @ Jay Narayan Singh Resident of Village - Mishroulia,  
P.S.- Darbhanga Sadar, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Ms. Anita Kumari, APP

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

3      22-02-2022                      Heard learned counsel for the petitioner and Smt.  
Anita Kumari, learned A.P.P. for the State.

The petitioner seeks bail in connection with Sadar P.S.  
Case No. 462 of 2020 instituted for the offences under Sections  
304(B) and 498(A) of the Indian Penal Code.

Learned counsel for the petitioner submits that the  
petitioner is in custody since 10.10.2020, is a person with clean  
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the  
informant alleges that his sister (deceased) was married to the  
petitioner in the year 2016, but after six months of the marriage,  
the petitioner and his family members started demanding Rs. 1  
lakh and a motorcycle for which the deceased was tortured and



subjected to cruelty for not begetting a son. It is further alleged that attempt was made to settle the dispute but efforts went in vain and on 09.10.2020, the informant received information that his sister was assaulted and when he reached the place of occurrence, he found the dead body of his sister and thus alleges that she was killed by hanging and accused had fled from the house.

Learned counsel for the petitioner submits that the petitioner is the husband of the deceased and has been falsely implicated in the case, though in the F.I.R. it is alleged that all the accused persons fled from the place of occurrence but the fact that the petitioner came to be arrested on the very next day of the occurrence, that in itself demonstrates that petitioner had not fled rather he was present in the house. Learned counsel further submits no doubt the marriage was only four years old and the presumption is against the petitioner but then the deceased committed suicide as such the petitioner cannot be held responsible for an act which was done by the deceased herself.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that petitioner, being the husband, it was his prime responsibility towards the



deceased, further even if she committed suicide, as submitted by the learned counsel for the petitioner, then the petitioner must have abetted in the sense that it must have created condition conducive for the deceased for committing the act.

Considering the submissions made by the learned A.P.P. for the State, the Court for the present is not inclined to grant bail to the petitioner. His prayer for bail is thus rejected.

At this stage, learned counsel for the petitioner submits that though in the F.I.R. six persons were made accused but the police after investigation submitted final form in favour of five accused persons.

**(Satyavrat Verma, J)**

Rishi/-

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