

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.44513 of 2021**

Arising Out of PS. Case No.-205 Year-2019 Thana- RAMGARHWA District- East
Champaran

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Asheshar Yadav, Son of Birendra Yadav @ Virendra Yadav, Resident of
village- Nandlali, Police Staaton- Ramgarhwa, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Sachida Nand Rai, Advocate

For the Opposite Party : Mr.Zainul Abedin, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 18-02-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Zainul
Abedin, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Ramgarhwa P.S. Case No. 205 of 2019
registered for the offences punishable under Section 304B,
201, 120B/34 of the Indian Penal Code. He is in custody since
21.01.2021 having no criminal antecedent as stated in
paragraph '3' of the application.

Learned counsel for the petitioner submits that
although the case was initially registered under Section 304B,



201 and 120B/34 of the Indian Penal Code, after investigation police has submitted charge-sheet under Section 302, 201 and 120B/34 of the I.P.C. The allegation of demand of dowry could not be substantiated in course of investigation hence police has not submitted charge-sheet under Section 304B of the I.P.C.

Learned counsel further submits that the petitioner is in custody since 21.01.2021 and with the intervention of the well-wishers in the family the informant has now realized that the petitioner has become victim of some mistaken facts and the informant does not want to contest this case.

Learned A.P.P. for the State has however opposed the prayer for regular bail of the petitioner. It is submitted that the petitioner is the husband of the deceased and the subsequent compromise of the case cannot be a ground to allow the prayer for bail of the petitioner.

Having regard to the submissions and the materials present on the record, this court is not inclined to release the petitioner on bail.

Prayer for bail of the petitioner is, thus, refused.

Let the trial court expedite the trial by keeping the records on shorter dates and without granting unnecessary



adjournments. All endeavours be made to conclude the trial within a period of six months from the date of communication of this order.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

