

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47680 of 2021

Arising Out of PS. Case No.-166 Year-2020 Thana- KHAIRA District- Jamui

Ajay Yadav S/O Vashudev Yadav R/O Village-Kewal Fariyata, P.S- Khaira,
District-Jamui, Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ankit Kumar

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-01-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner seeks bail in Khaira P.S. Case No. 166
of 2020, registered for the offence punishable under Section
304(B), 201, 120(B), 34 of the Indian Penal Code.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Khaira P.S. Case No. 166
of 2020, registered for the offence punishable under Sections
304(B), 120(B) and 34 of the Indian Penal Code.

As per the prosecution case, this petitioner along with
other accused persons committed murder of the daughter of
informant (deceased) and burnt her dead body on the bank of
river due to non-fulfillment of demand of dowry. Petitioner is



husband of the deceased.

It is submitted on behalf of the petitioner that petitioner is innocent and has committed no offence. No such occurrence has ever taken place and there was no demand of dowry by the petitioner. In fact, at the relevant time, petitioner was not present at the place of occurrence. It is further submitted that marriage was solemnized between the petitioner and deceased about 13 years ago. Out of said wedlock, one male and one female child were born, therefore, no case under Section 304B of IPC is made out. Petitioner is in custody since 16.03.2021 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and there is specific and direct allegation of committing murder due to non-fulfillment of demand of dowry.

Considering the facts aforesaid and the nature of allegation and the fact that petitioner is husband of the deceased and deceased died in unnatural circumstance at her matrimonial home, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

vinita/-

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

