

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.48186 of 2021**

Arising Out of PS. Case No.-230 Year-2020 Thana- RAHUI District- Nalanda

ARBIND YADAV S/o SHIBALAK YADAV R/o VILLAGE-MUSTAFAPUR,  
P.S-RAHUI, DISTRICT-NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr. Akshay Lal Pandit

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**

**ORAL ORDER**

3      26-04-2022                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with  
Rahui Police Station Case No. 230 of 2020, registered for the  
offence punishable under Section 304-B/34 of the Indian Penal  
Code.

The petitioner is the husband of the deceased. The  
present case is of dowry death. There is allegation of demand of  
dowry and due to non-fulfillment of the said demand, the  
daughter of he informant has been killed by the petitioner and  
other family members within two years of marriage.

Learned Counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and Section 304-B of the Indian Penal Code is not applicable in the facts of this case inasmuch as the marriage was solemnized about 7-8 years back and this fact would be evident from the deposition of the informant, recorded during the trial, in which he has deposed that his daughter was married to the petitioner about 7-8 years back and due of birth of girl child, she developed mental imbalance and owing to the same, she committed suicide.

This Court, vide order, dated 21.03.2022, had called for a report from the learned Court below regarding the stage of the case and in pursuance of the said order, a report has been submitted by learned 7<sup>th</sup> Additional Sessions Judge, Biharsharif, at Nalanda, and the trial has commenced and out of six charge sheet witnesses, four have already been examined and the learned Trial Court has given estimated time for completion of the trial within a period of three months.

Regards being had to the submission advanced on behalf of the parties and taking into consideration the materials on record and the fact that the trial is at the verge of completion, I am not inclined to grant regular bail to the petitioner.

This application is, accordingly, dismissed.



However, the petitioner may renew his prayer for  
bail after three months from today, if the trial is not concluded.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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