

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39701 of 2022

Arising Out of PS. Case No.-216 Year-2021 Thana- SIRDALA District- Nawada

Nandlal Yadav Son Of Kuleshwar Yadav @ Kuleshwar Prasad R/O Village-
Jehaldih, P.S.- Sirdalla, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary,, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-10-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Sirdalla
P.S. Case No. 216 of 2021 registered for the offence under
Sections 341, 323, 324, 307, 506, 498(A) and 34 of the Indian
Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 27.03.2022.

The allegation against the petitioner is to commit
cruelty against his wife and also made an attempt for murder by
putting her on fire, while she was cooking.



Learned counsel appearing on behalf of the petitioner submitted that petitioner has falsely been implicated in this case for no reason because, where treatment of injured wife got discontinued due to financial hardships. It is submitted that victim/injured herself as per Para-8 of the Case Diary, failed to disclose that who put her on fire, where she received burn injury. It is further submitted that marriage of petitioner with informant/injured wife is Ten (10) years old, having two (2) children and are living happily, where no such allegation, or attempt was alleged to be made earlier. It is also submitted that present FIR was lodged with a delay of 14 days without any just explanation. While concluding the argument, it is submitted that investigation in this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, where delay of lodging FIR is unexplained, in the background of statement of injured wife, where mere suspicion was raised that victim/injured wife was put on fire by family members without raising any specific allegation against this



petitioner coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sirdalla P.S. Case No. 216 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Nawada/concerned court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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