

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53260 of 2021

Arising Out of PS. Case No.-2 Year-2020 Thana- VALMIKINAGAR District- West
Champaran

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Manoj Yadav, Son of Suresh Yadav Resident of Village - Haraiya Court, P.S.-
Valmikinagar, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-04-2022 Heard counsel for the petitioner, State and Mr. Arvind

Kumar Singh, learned counsel for the informant assisted by Mr.

Manour Alam, Advocate.

The FIR arises out of Valmikinagar P.S. Case No.02
of 2020 (Trial No.4026 of 2021) instituted under Section
304(B)/34 of the Indian Penal Code.

The prosecution case as it unfolds in the FIR is that
the informant had married his daughter with the petitioner in the
year 2017 and had gifted him a motorcycle. However from day
one, she was tortured for dowry and on the fateful day the
petitioner called the informant and told him that the lady is
serious. Upon reaching the place, he found her daughter dead
and all the family members of the petitioner herein were absent.
This way the present FIR came to be lodged.

Learned counsel for the petitioner submits that the



story as narrated in the FIR is not true and actually it is a case of suicide and as such different sections should have been attributed to the case in hand and not Section 304(B) of the Indian Penal Code. He further submits that as the husband is in judicial custody since 13.01.2020, he may be enlarged on bail.

The informant is represented through Mr. Arvind Kumar Singh, Advocate assisted by Mr. Manour Alam, Advocate. According to him the entire family members including the petitioner herein tortured and finally killed the informant's wife. In support of the case, he took the court to the postmortem report to show that there are marks on her body which shows that she was tortured even before her death.

Considering the fact that it is the petitioner-husband who had married the lady, deceased and was supposed to take care of her in which he miserably failed and there is no plausible reason for his death, this Court is not inclined to grant him the privilege of bail, which is according rejected.

The Trial court is directed to conclude the Trial expeditiously.

(Rajiv Roy, J)

Prakash Narayan /-

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