

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45204 of 2022

Arising Out of PS. Case No.-52 Year-2022 Thana- BIRAUL District- Darbhanga

Surendra Yadav Son Of Late Suresh Yadav, R/V- Bhikhnauli, P.S- Biraul,
Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Shankar Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 23-12-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State as well as learned counsel for the informant
through virtual mode.

The petitioner seeks regular bail in connection with
Biraul P.S. Case No. 52 of 2022 lodged under Section 302/34 of
the I.P.C.

As per prosecution, the marriage of informant's
daughter was solemnized with the petitioner. It has been
intimated that the alleged petitioner has called the younger
daughter of the informant and made an offer to marry in the
night, upon which she opposed and refused to marry with him.
It is due to this reason that the petitioner has killed his wife. At

the time of incident, the son and brother of informant alleged to have seen the occurrence in which accused no. 2 to 8 mentioned in the F.I.R. were pressing the neck of the deceased due to which she died.

Learned counsel for the petitioner submits that petitioner is innocent and the allegation as per the F.I.R. is against accused no.2 to 8. Counsel further submits that it is completely false case as case has been lodged under Sections 302/34 of the I.P.C. but the cognizance has been taken under Sections 306/34 of the I.P.C. Counsel further submits that petitioner's antecedent is clean and he is in custody since 25.02.2022.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposed the prayer for bail and submits that in the F.I.R. allegation against the accused persons have to strangulating the neck of the deceased.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to

the satisfaction of learned Additional Chief Judicial Magistrate-
Ist, Biraul, Darbhanga in connection with Biraul P.S. Case No.
52 of 2022, subject to the conditions as laid down under Section
437(3) of Cr.P.C.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

ravishankar/-

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