

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57079 of 2021

Arising Out of PS. Case No.-102 Year-2021 Thana- SHERGHATI District- Gaya

Abhimanu Kumar @ Manu Yadav, Son Of Butai Yadav Resident Of Village-
Dhab Chirayia, P.S.- Sherghati, District- Gaya.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Saxena
For the State	:	Mr. Jai Narain Thakur
For the Informant	:	Mr. Aniket Singh
		Mr. Kunal Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 28-04-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Section 302 of the Indian Penal
Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 17.02.2021, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

The learned counsel for the petitioner submits that the
informant alleges that his daughter was married 12 years back
and was issueless. The petitioner used to torture her and on
16.02.2021, the petitioner informed that the deceased fell in an



unconscious state. Thus, the informant reached the place of occurrence and alleges that the deceased was strangled till death.

The learned counsel for the petitioner submits that petitioner is not an eye witness to the occurrence and as far as allegation of strangulation is concerned, the same gets negated from the post mortem report. It is also submitted that the marriage was 12 years old and in between those 12 years, no criminal case came to be instituted. Though there was some dispute between the petitioner and the deceased as husband and wife for which an agreement was entered into.

The learned counsel further submits that the viscera was preserved and from perusal of the viscera report, it would manifest that thimet was found in the viscera which is an organophosphorous pesticide which is commonly used in agriculture and killing pest and is highly poisonous.

It is further submitted that it appears that the deceased consumed the said poison on account of which she died. It is also submitted that petitioner is the sole accused in the F.I.R. and as such, it is not humanly possible to forcefully administer poison.

At this stage, the learned counsel for the petitioner



seeks permission to withdraw the present bail application with a liberty to renew his prayer for bail after framing of charge.

Permission is accorded.

Accordingly, instant petition is dismissed as withdrawn with the liberty aforesaid.

(Satyavrat Verma, J)

vikash/-

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

