

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64448 of 2021

Arising Out of PS. Case No.-27 Year-2021 Thana- SIMULTALLA District- Jamui

SITARAM YADAV Son of Chhatru Yadav @ Sattru Yadav, Resident of
Village - Siyatand, Tola- Kanaudi, Police Station - Simultala, District – jamui.
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 11-10-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Simultalla P.S. Case No. 27 of 2021 lodged under Sections
304(B)/34 of the Indian Penal Code.

As per prosecution, the allegation of killing of the
informant's daughter is there for dowry. Upon search the dead
body of the informant's daughter was recovered in a well. She
has made named accused to the petitioner alongwith 7 other
persons.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that the criminal antecedent of the petitioner is clean

and he is in custody since 31.08.2021. He further submits that petitioner has made accused only and only due to the reason that he is the husband of the deceased and he is ready to fulfill all the conditions whatsoever shall be imposed upon him by the court. He also submits that there is extremely general and omnibus allegation against the petitioner. On the point that whether charge has been framed or not, learned counsel is not in a position to intimate in this regard.

Learned counsel for the State opposes the prayer for bail and submits that it is not a simple offence rather an offence under section 304B of I.P.C. in which law makers have created a presumption.

In the present facts and circumstances of the case and the submissions made above, I am not inclined to grant bail to the petitioner and therefore, his bail petition is hereby rejected.

Liberty is hereby granted to the petitioner that he may renew his prayer for bail after 9 months from the date of framing of charge.

The Trial Court is directed to expedite the trial.

(Dr. Anshuman, J.)

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