

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7353 of 2023

Arising Out of PS. Case No.-270 Year-2022 Thana- BAHERI District- Darbhanga

Birendra Yadav @ Deva S/O Late Mohan Yadav R/V- Baheri, P.S.- Baheri,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 04-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Baheri P.S. Case No. 270 of 2022 instituted for the offence
under Sections 302 and 34 of the Indian Penal Code.

Allegation against the petitioner is that he committed
murder of his wife by assaulting and thereafter hanged her body
with a pillar.

It is submitted by learned counsel for the petitioner
that petitioner is the husband of the deceased due to which he
has falsely been implicated in this present case. It is further
submitted that there is no complaint earlier regarding
harassment, demand of dowry and torture with the informant's
daughter and also the the marriage of the petitioner solemnized



with the daughter of the informant 10 years ago. Moreover, the petitioner is languishing in judicial custody since 06.09.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in the FIR and from perusal of the postmortem report, doctor opined that the cause of death of the deceased is due to confined effect of manual strangulation and hanging as a result of Asphyxia and also witnesses supported the prosecution version. It is also submitted that the petitioner being the husband of the deceased had full responsibility to keep his wife with honour and dignity which he did not do so.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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