

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26401 of 2022

Arising Out of PS. Case No.-172 Year-2019 Thana- SIKTI District- Araria

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TRILOK YADAV @ TRILOKI YADAV Son of Late Shiv Prasad Yadav
Resident of Village - Kauwakoh, P.s.- Sikty (Bardaha), Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramesh Kumar Singh, Adv.
For the State	:	Mr. Navin Kumar Pandey, APP
For the Informant	:	Mr. Sanjay Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-01-2023 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the informant who

has appeared suo motu.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 304B, 201 and
34 of the Indian Penal Code.

As per the prosecution case, the sister of the informant,
who was married to the petitioner, was tortured by the accused
persons including the petitioner who happens to be the husband
for non-fulfillment of demand of dowry. She was ultimately
done to death.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case only



on account of being the husband of the deceased. The manner of occurrence is other than what has been narrated in the F.I.R. and as such, the informant's side is not interested in pursuing the case further. The petitioner is in custody since 22.8.2020.

The application for bail is opposed learned A.P.P. for the State. Learned counsel appearing for the informant does not oppose the prayer for bail of the petitioner.

Having heard learned counsel for the parties and taking into consideration the petitioner being the husband of the deceased together with the nature of allegation in the F.I.R., the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail in the learned trial court on framing of charge. In case such an application is preferred by the petitioner, the same shall be considered by the learned trial court on its own merit without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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