

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30750 of 2023

Arising Out of PS. Case No.-1003 Year-2020 Thana- NAWADA District- Nawada

Binod Yadav @ Vinod Yadav, Son of Chottan Yadav, Resident of Village-
Vijaytand, P.S.- Kadirganj, Distt- Nawadah

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Hansraj, Advocate

For the Opposite Party/s : Mrs. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 05-07-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The accused/petitioner seeks bail in connection
with Nawada (Kadirganj O.P.) P.S. Case No.1003 of 2020
registered for the offences punishable under Sections 304-B
read with 34 of the Indian Penal Code.

The accused/petitioner is named in the FIR and is
in custody since 14.02.2023.

Allegation against the petitioner to cause death of
the daughter of informant along with other co-accused
persons/family members due to non-fulfilment of demand of
dowry as raised for one motorcycle and money (not explained)
particularly after the birth of female child and also alleged to
torture the deceased physically on several occasions. Alleged



death was caused due to administering poison.

It is submitted by learned counsel appearing on behalf of the petitioner that the implication of petitioner with present case is only for the reason that he is the husband of the deceased. It is submitted that the deceased-wife of petitioner was of very short tempered in nature and out of said temperament due to certain matrimonial discord, she consumed poison to commit suicide, where he is of no fault. It is submitted that even the postmortem report is suggesting that no external injuries were available so as to suggest the allegation of physical assault soon before the occurrence. In support of his submission, learned counsel relied upon the report of Hon'ble Supreme Court as reported through matter of **Gurucharan Singh vs. State of Punjab [(2016) SCC Online SC 1415]**. It is submitted that nothing appears during the course of investigation, which suggest that act of petitioner was so active or direct which may force the deceased to commit suicide without leaving no any other option. While concluding argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer for grant of bail to



the petitioner.

In view of above-mentioned facts and circumstances, as no external injuries noticed upon the deceased negating assault, where cause of death appears suicide, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 14.02.2023, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Nawada in connection with Nawadah (Kadirganj) P.S. Case No.1003 of 2020, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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