

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.62505 of 2022

Arising Out of PS. Case No.-580 Year-2022 Thana- BAGHA District- West Champaran

Upendra Yadav S/o Lakshman Yadav, R/o Vill.- Goiti, P.S.- Bagaha
(PATHKHAULI O.P.), Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No.1, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No.2, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 25-02-2023 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
Bagaha (Path Khauli) P.S. Case No. 580 of 2022, lodged under
Section 306 of the Indian Penal Code.

As per prosecution case, the F.I.R. has been lodged by
the informant alleging therein that the marriage of his daughter
was solemnized with the petitioner 15 years back. It has further
been stated that petitioner use to abuse and assault his daughter,
due to such action of petitioner, informant's daughter committed
suicide herself and due to this reason the case under Section 306
of I.P.C. i.e. abetting the commission of suicide has been filed
against the present petitioner.

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



submits that due to non-caring behavior of wife of the petitioner, he some time with a view to teach lesson used hot words, but it was never his intention that she be killed/ suicide. He also submits that during investigation it has come that daughter of informant have certain mental trouble also. Learned counsel for the petitioner further submits that petitioner is in custody since 08.09.2022 having clean antecedent.

Learned counsel for the State opposes the prayer for bail and submits that Section 306 is a session triable case and presently charge has not been framed in this case till date.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present, therefore, his bail application stands **rejected**.

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

Trial Court is directed to release the petitioner on bail upon move for bail after framing of charge, imposing its own conditions, so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

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