

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74601 of 2023

Arising Out of PS. Case No.-10 Year-2022 Thana- BHEJA District- Madhubani

SHIV SHANKAR YADAV S/O MAHESHWARI YADAV R/O VILLAGE-
JHINGWA, P.S- MARAUNA, DISTT.- SUPAUL.

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-12-2023 1. Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The present petition is by way of second attempt at the behest of the petitioner for grant of regular bail in connection with Bheja PS case no. 10 of 2022, registered for the offences punishable under Sections 341, 323, 304(B), 498A, 504, 506 and 34 of the Indian Penal Code, inasmuch as the earlier prayer of the petitioner for grant of regular bail was rejected by this Court vide order dated 16.01.2023, passed in Criminal Miscellaneous No.59938 of 2022.

3. The informant has alleged that though the marriage of the petitioner was solemnized with his daughter on 29.01.2022, however, the petitioner had killed her by administering poison on account of non-fulfillment of the demand for dowry.



4. The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 25.02.2022, however, there is no progress whatsoever, in the on-going trial, hence the case of the petitioner for grant of regular bail be considered sympathetically.

5. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, this Court finds from a bare perusal of the earlier order of this Court dated 16.01.2023, that after investigation, the police has submitted charge-sheet against the accused persons including the petitioner herein under Section 304B/34 of the Indian Penal Code and the petitioner has been prima facie, found to have killed his wife, apart from the fact that there is no change in the circumstances so as to warrant re-consideration of the prayer of the petitioner for grant of regular bail, hence, I do not find any merit in the present petition, thus the same stands dismissed.

(Mohit Kumar Shah, J)

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