

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41755 of 2024

Arising Out of PS. Case No.-219 Year-2023 Thana- SAHARSA SADAR District- Saharsa

SUBHANKAR YADAV @ SHUBHANKAR YADAV @ SUBHANKAR
KUMAR SON OF LATE RAMESHWAR YADAV RESIDENT OF
VILLAGE - SIMRAHA, WARD NO.04/35, P.S. AND DISTRICT -
SAHARSA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-10-2024 Heard learned counsel for the parties.

2. The petitioner seeks regular bail in registered for the offences punishable under sections 302 and 34 of the Indian Penal Code .

3 Prosecution case in brief, is that marriage of sister of informant namely Ayushi Priya was solemnized with this petitioner in the year 2011 according to Hindu rituals. Thereafter, it is alleged that all the accused persons including this petitioner started torturing and harassing the victim. It is alleged that on 04.04.2023 informant received information that



all the accused persons including this petitioner killed the sister of informant by administering poison to her.

4. It is submitted on behalf of the petitioner that petitioner is husband of deceased and he has falsely been implicated in this case only on the basis of suspicion . Allegation is general and omnibus against this petitioner. Petitioner has got no concern with the alleged occurrence and as such no offence under Section 302 and 34 of IPC is made out against this petitioner. As a matter of fact, deceased herself committed suicide . Prior to occurrence , deceased has never complained to her parents regarding ill treatment and torture on her at any point of time which creates suspicion and doubt in credibility of lodging the present case . Petitioner is in custody since 27.01.2024 .

5 However, learned counsel for the State opposes the prayer for bail and submits that petitioner is husband of the deceased and there is direct and specific allegation against him is that he along with other co-accused persons killed the deceased. Deceased died in an unnatural circumstances at her matrimonial house .

6 Considering the nature of accusation and materials available on the records against the petitioner, his prayer for bail



is refused.

(Prabhat Kumar Singh, J)

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