

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31 of 2024**

Arising Out of PS. Case No.-308 Year-2022 Thana- PARAIYA District- Gaya

Bimlesh Yadav Son of Jawahar Yadav @ Jamahir Yadav Resident of Village-  
Swami Bigha, Police Station- Paraiya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shailesh Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

3      28-06-2024                      Heard the parties.

2. The petitioner is in judicial custody in connection with Paraiya P.S. Case No. 308/2022 for the offence punishable under Section 304(B)/34 of the Indian Penal Code lodged on 3.9.2022 by the informant, Baiju Yadav.

3. As per the prosecution story, the informant alleged that the deceased daughter was married to this petitioner in the year 2017 and were blessed two children, she was regularly tortured for dowry and on the fateful day, came to know about her death. Upon reaching there, they found that the accused persons were about to take the deceased for funeral. When they saw the body, there was sign on the neck which followed the call to the police and the FIR.

4. Learned counsel for the petitioner submits that she



was (deceased) was having stomach ailment, having failed to overcome the same, she took the extreme steps, they have no role to play in the matter.

5. A suicidal note allegedly written by the deceased-lady has been annexed as Annexure-P/2 which shows that she took the extreme steps due to stomach ailment.

6. Earlier in this case, case diary was called for and the learned APP Mr. Jitendra Kumar Singh submits that this piece of paper has been brought forward by the petitioner only in the bail petition. The petitioner has not sent the aforesaid suicidal note either to the police or the Court to get its authenticity examined and in that backdrop, the same is fit to be rejected.

7. He further submits that the incident took place on 2.9.2022 and only after processes under section 82 of the Cr.P.c. that the petitioner finally came into judicial custody on 15.3.2023.

8. Taking into account the aforesaid facts and the submission put forward by the learned APP specially when there is nothing on record regarding either ailment of the lady or the suicidal note, the allegation is that only after the informant called the Police, this fact came into notice, in the meantime, the



accused chose to escape, this Court is not inclined to grant him the privilege of bail which accordingly rejected.

9. The petitioner is free to bring the said suicidal note/medical documents relating to the ailment of the deceased-lady to the notice of the concerned Court, if they are genuine.

**(Rajiv Roy, J)**

Ravi/-

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