

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62042 of 2024

Arising Out of PS. Case No.-273 Year-2023 Thana- PASRAHA District- Khagaria

Sindhu Yadav Son of Naresh Yadav Resident of Village - Veerwas, Police Station - Pasraha, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 22-01-2025 Heard Mr. Vivekanand Singh, learned counsel for the petitioner and Mr. Bharat Bhushan, learned APP.

2. The petitioner is in custody in connection with Pasraha P.S. Case No. 273 of 2023 for the offence punishable under sections 304(B)/34 of the Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act lodged on 11.10.2023 by the informant, Shravan Kumar Sharma.

3. As per the prosecution story, the informant alleged that the present petitioner solemnized second marriage with the victim and was always tortured for dowry which ultimately led to her killing. This followed the FIR.

4. Learned counsel for the petitioner submits that the lady was in depression, committed suicide, the post-mortem report clearly shows that it is a case of asphyxia due to hanging,



only because he solemnized second marriage, got implicated. He is in custody since 01.04.2024 (paragraph 4 of the petition) having no criminal antecedent. Further, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer for bail submitting that allegation against him is of killing the lady. In this case, earlier, the case diary and the post-mortem report were called for which are on record.

6. This Court has gone through the post-mortem report which shows the cause of death is asphyxia due to hanging, the petitioner is in custody since 01.04.2024 having no criminal antecedent, being husband, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Khagaria in connection with P.S. Case No. 273 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

U		T	
---	--	---	--

