

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65706 of 2025

Arising Out of PS. Case No.-406 Year-2023 Thana- MAKHDUMPUR District- Jehanabad

Upendra Yadav @ Kupendhar Kumar @ Upendra Kumar, aged about 25 years (M) S/o Ramdhyan Yadav R/o Village- Mishripur, P.S.- Makhdumpur, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Makhdumpur P. S. Case No. 406 of 2023 dated 01-06-2023, instituted under Sections 328, 302 and 201/34 of the Indian Penal Code.

3. The prosecution case, in short, is that the marriage of the informant's daughter was solemnized with the petitioner in the year 2017. It is further alleged that on 31.05.2023 at about 10:00 P.M., the son-in-law of the informant informed her over phone that poison had been administered to her daughter. Thereafter, when the informant and others reached the matrimonial home, the in-laws of her daughter did not allow



them to meet either the daughter or her two children and also misbehaved with them. The informant has further alleged that her daughter was killed by forcibly administering poison to her leading to filing of the FIR.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the petitioner is the husband of the deceased. The alleged occurrence took place on 31.05.2023 and the FIR was lodged on 01.06.2023. Soon thereafter, on 14.06.2023, the informant filed a petition (Annexure P2) before the Court concerned stating therein that, due to a misunderstanding the FIR had been lodged and her daughter had died due to chest pain. It is also submitted that at the time of the occurrence, the petitioner was at Hyderabad. It is next submitted that during the course of investigation, it has come on record that the deceased had suddenly suffered chest pain whereafter, her in-laws were taking her to the hospital for treatment, but she succumbed on the way to the hospital. During investigation, the I.O. examined several witnesses who stated that the husband of the deceased was not present in the village as he had been residing in Hyderabad for his livelihood. This fact also finds support from the CDR of the petitioner's mobile



phone, as reflected in paragraph no. 96 of the case diary. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-1st Jehanabad, in Makhdumpur P. S. Case No. 406 of 2023, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023.

7. The application stands allowed.

(Khatim Reza, J)

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