

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72912 of 2024

Arising Out of PS. Case No.-131 Year-2023 Thana- NADI District- Supaul

Chandan Yadav Son of Tej Narayan Yadav Resident of Ghoghararia, P.S. -
Supaul Nadi, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nagendra Kumar Singh, Advocate
For the Informant/s	:	Mr. Sumit Kumar, Advocate
		Mr. Udeshya Kumar, Advocate
For the Opposite Party/s :		Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 20-01-2025 Heard learned counsel for the petitioner; Mr. Sumit Kumar, learned counsel for the informant and Ms. Rita Verma, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304(B), 328, 120(B), 34 of the Indian Penal Code and Sections 3 and 4 of the D.P. Act.

3. The case of the prosecution is that on 14.12.2023, the mother-in-law of the informant's daughter told that her daughter has fled away from the house. After this, the informant called his relatives but nothing was known to her. At about 3 pm, the mother-in-law of the informant's daughter called that her daughter has consumed poison. After some time, it was told that



they are at Sub Divisional Hospital, Nirmali and when the informant along with her family members reached there, she found the dead body of her daughter on the bed of hospital. They found that blood has come out from the nose and mouth. The sharee of the deceased was wet and it was also soiled by sand. It is further alleged that the marriage of deceased Puspa Devi was solemnized in the year 2021 with Chandan Kumar and there was a son aged about one and half year. After the marriage, the daughter of the informant was subjected to cruelty and on account of non-fulfillment of dowry demand, she was demanded Motorcycle, 20 grams of gold and two lakh rupees cash failing which, she will be removed. It is further alleged that the petitioner and his father have hatched the conspiracy while they were outside the village and other in-laws have killed the daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has got no criminal antecedent. From perusal of the FIR, it is clear that petitioner who is the husband of the deceased was not at house at the time of the occurrence. From perusal of the *post-mortem* report, it is clear that the Doctor has found two bruise mark on the person of



the deceased. The cause of death was reserved. Viscera was preserved. Viscera report is there on the record. From perusal of the Viscera report, it is also clear that *Cypermethrine* was detected in the contents of polythene jars. *Cypermethrine* is a synthetic pyrethroid commonly used in agriculture for killing insecticide and is highly poisonous. From above report, it is clear that the cause of death was due to poisoning. Petitioner is the husband and from perusal of the FIR, it is clear that he was not present at the place of occurrence rather he was outside. Though, it has been stated that they have hatched the plan, but from perusal of the case diary, it is not clear as to what kind of plan was hatched by the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 03.03.2024

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Supaul Nadi P.S. Case No. 131 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned Chief Judicial Magistrate, Supaul.

(Ashok Kumar Pandey, J)

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