

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79945 of 2024

Arising Out of PS. Case No.-297 Year-2024 Thana- BARACHATTI District- Gaya

Sanjay Yadav Son of Nago Yadav Resident of Village- Kahudag, PS-
Barachatti, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya Ranjan, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 17-02-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Barachatti P.S. Case No. 297 of 2024 instituted for the offence
under Section 302 of the Indian Penal Code.

3. Prosecution case in a nutshell is that petitioner,
who happens to be the brother of the deceased has committed
murder by administering poison to her.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 19-06-2024. Petitioner
bears two criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. It is submitted that husband of the daughter of the informant died in the year 2024. There is delay of one day in lodging of the FIR. Learned counsel submits that daughter of the informant herself went to her in-laws house and as she was in depression, all the in-laws used to take full care of her but due to her weak mental situation, she took this step of suicide by taking poison as her husband died in an accident in the year 2024 itself. Even from perusal of the postmortem report, it would reveal that there is no external injury on the body of the deceased. Learned counsel lastly contends that police after completion of investigation has submitted charge sheet in this case under Section 306 of the IPC.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that other witness have supported the prosecution case and in order to grab property, petitioner has administered her poison leading to her death.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and taking into account charge sheet being submitted under Section 306 of the IPC, this Court is inclined to grant bail to the petitioner.



8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barachatti P.S. Case No. 297 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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