

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32739 of 2015

Arising Out of PS.Case No. -88 Year- 2014 Thana -BELAGANJ District- GAYA

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1. Dilip Yadav Son of Sri Mundrika Yadav, Resident of Village -
Sheikhpura, P.S. - Belaganj, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bamdeo Pandey

For the Opposite Party/s : Mr. T.P.Mandal (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 09-11-2015 Heard learned counsel for the petitioner and learned counsel
representing the State.

The petitioner seeks bail in connection with Belaganj P.S.
Case No. 88 of 2014 registered for the offence punishable under
Sections 498A, 302, 201/34 of the Indian Penal Code.

Uganti Devi the daughter of the informant was married with
the petitioner 15 years ago and out of the wedlock there are two
daughters and a son and due to some dispute the petitioner and others
assaulted her and further for not giving dowry they killed her and burnt
the dead body.

Submission is of false implication and that Danwanti Kumari
the daughter of the petitioner has not supported the prosecution version
and she has sated that her mother consumed poison. After investigation
chargesheet has been submitted under Section 306 of the Indian Penal
Code and not under Section 302 IPC and the petitioner is suffering in

custody since 25.02.2015 and as such he deserves sympathetic consideration.

Learned APP fairly submits that the elder daughter has not supported the prosecution version but the younger daughter has stated regarding the assault.

In the facts and circumstances stated above, considering that chargesheet has been submitted under Sections 498A, 306, 201/34 of the Indian Penal Code and not under Section 302 IPC and considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Belaganj P.S. Case No. 88 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

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(Jitendra Mohan Sharma, J)

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