

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13858 of 2014

Arising Out of PS.Case No. -174 Year- 2011 Thana -MANJHI District- SARAN

=====

1. Nageshwar Yadav Son Of Late Sita Ram Yadav Resident Of Village-
Mubarakpur, Dudhi Tola, P.S.-Manjhi, District-Saran

.... Petitioner

Versus

1. The State Of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Nagendra Pd. Yadav

For the Opposite Party : Mr. Sanjay Kumar(App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 16-02-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 304 (B), 201/34 of the I.P.C.

The daughter of the informant was married with the
son of the petitioner in June, 2009 and after some time due to non
fulfillment of dowry demand by way of Rs. 1,00,000/- she was
being tortured by the petitioner and others and ultimately she was
killed and her dead body was thrown in the river.

Submission is that the petitioner is an old man and he
was living out side from the place of occurrence having no
concern with the alleged crime. During investigation it has come
that the petitioner was not present at the place of occurrence and

he is suffering in custody since 07.12.2013 and as charge sheet has already been submitted there is no chance of tampering with the prosecution evidence and as such the petitioner deserves sympathetic consideration to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering that the petitioner is father-in-law and by suffering in custody has been sufficiently penalized and as the charge sheet has already been submitted there is no chance of tampering with the prosecution evidence, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Saran at Chapra in Manjhi P.S. Case No. 174 of 2011, 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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