

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46607 of 2015

Arising Out of PS.Case No. -79 Year- 2015 Thana -MEERGANJ District- GOPALGANJ

Dhananjay Yadav S/o- Chandrama Yadav, R/o- Village- Distouli, P.S.-
Khampar, District- Deoria (U.P.)

..... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar Pandey, Advocate

For the Opposite Party : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 01-12-2015

This is an application for grant of regular bail in favour of the petitioner who is an accused in connection with Mirganj PS Case No. 79 of 2015 registered for the alleged offences punishable under Sections 304B and 201/34 of the Indian Penal Code and Section 3 /4 of the Dowry Prohibition Act.

The petitioner is the husband of the deceased. Learned counsel for the petitioner referring to the First Information Report, has submitted that though there is vague allegation of demand of dowry being made by the petitioner, there is nothing to show as to from whom such demand was being made. He has further submitted that no case under Section 304B IPC is made out in the absence of any specific allegation that immediately before the death of the deceased, any demand of dowry was made. He has also submitted that the FIR has been

instituted raising a mere suspicion with an allegation that the petitioner had been attempting to grab the immoveable properties which the deceased had inherited from her father. He further contends that the sister of the deceased is the informant who herself has an interest in the property of the deceased.

The petitioner is in custody since 9.6.2015.

Considering the submission as noted above and the facts that the police have already submitted chargesheet, this application is allowed.

Let the petitioner above named, 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 learned Chief Judicial Magistrate, Gopalganj in Mirganj PS Case No. 79 of 2015.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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