

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38041 of 2015

Arising Out of PS.Case No. -132 Year- 2015 Thana -SHEKHPURA District- SEKHPURA

1. Sonu Yadav S/o Chandeshwar Yadav Resident of Bye Pass Road in front of Jail, P.S. Sheikhpura, District Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed. Rizwanul Haque

For the Opposite Party/s : Mr. Ajeet Kumar (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-09-2015

Heard learned counsels for the petitioner and the State.

The petitioner being husband of the victim is apprehending arrest in a case registered for the offences punishable under Sections 304B/34 of the Indian Penal Code.

The prosecution case is that the daughter of the informant performed love marriage with the petitioner but subsequently the in-laws started demanding fifty thousand as dowry and used to assault the victim. Subsequently, the accused including petitioner killed the victim while carrying pregnancy by assaulting her.

It is submitted by the learned counsel for the petitioner that since there was love marriage, hence there was no occasion for demanding dowry. The postmortem report reflects no external injury and the cause of death has been opined to be complicated

heart disease. It is further submitted that the informant retracted from the initial version and has filed a petition to that effect before the learned court below. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the fact that the informant has himself admitted that his daughter performed love marriage and the accusation of assault is not being corroborated by the postmortem report as no external injury has been found and the cause of death has been opined to be complicated heart disease, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Sheikhpura in connection with Sheikhpura P.S. Case No.132 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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