

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23468 of 2015

Arising Out of PS.Case No. -88 Year- 2012 Thana -ROH District- NAWADA

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1. Kamlesh Yadav Son of Babu Lal Yadav @ Bhola Yadav resident of
village - Samraitha, P.S. Roh, District - Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Meeta Sinha

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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

3 08-10-2015

Heard the learned counsel for the petitioner, the

learned A.P.P as well as learned counsel for the Informant.

The petitioner seeks bail in a case for the offences
punishable under sections 304 (B), 201, and 120(B)/34 of the
I.P.C

Allegedly, Neelam Kumari, sister of the informant,
who was married in the year 2010 with the petitioner due to non
fulfillment of demand of dowry by way of Rs. 50,000/- was done
to death and cremated the dead body without giving information to
the informant and his family members.

Submission is of false implication and that against the
petitioner there is no specific allegation. Other co-accused have
been allowed bail, the wife of the petitioner was suffering from
bleeding (female disease) and on 29.09.2012 she was brought to
Roh P.H.C. where she was treated and was referred to Sadar

Hospital, Nawada but in the way to Nawada she died and this fact is evident from paragraph-123 of the case diary which is the statement of Dr. Ashok Prasad who had treated the wife of the petitioner on 29.09.2012.

The learned A.P.P. duly assisted by learned counsel for the informant opposes prayer for bail by submitting that the petitioner is the husband.

Considering the statement of Dr. Ashok Prasad, as stated above, and further considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such 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. Nawada in Roh P.S. Case No. 88 of 2012, 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.

(Jitendra Mohan Sharma, J)

Abhay/-

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