

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48204 of 2014

Arising Out of PS.Case No. -267 Year- 2013 Thana -GHOSHI District- JEHANABAD

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1. Kameshwar Yadav Son of Late Rajdeo Yadav resident of Harpur, P.S.-
Hulasganj, District- Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar

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

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

2 03-03-2015 Heard counsel for the petitioner and Mr. Madan
Kumar, A.P.P. for the State.

Petitioner being father-in-law of the deceased is made
accused of Ghoshi P.S. Case No. 267 of 2013 instituted under
Sections 304(B)/201/34 of the I.P.C.

According to the prosecution case, the marriage of the
victim was solemnized with the son of the petitioner six years ago.
During the relevant time, the victim was residing at her Naihar.
The husband and brother-in-law of the husband arrived there and
requested the informant to allow the victim to go with husband to
meet his mother. The victim was allowed to go. Thereafter she

did not return and in the following morning the dead body found in the nearby field.

Contention of the petitioner is that, admittedly, he is not named in the F.I.R. It is not the prosecution case that on the ground of non-fulfillment of demand of dowry, the victim was tortured and killed inside the matrimonial home. The husband and his brother-in-law may be responsible for the death of the deceased. The petitioner is in Government service and resides in Patna. He is in custody since 18.09.2014.

Considering the fact that the place of occurrence is not the matrimonial home of the deceased and that the petitioner was not named in the First Information Report, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned S.D.J.M., Jehanabad in connection with Ghoshi P.S. Case No. 267 of 2013(G.R. No.2573 of 2013) subject to the following conditions:

- (i) One of the bailors shall be own/close family member of the petitioner.
- (ii) In the event of framing of charge, the petitioner shall appear in person on all dates fixed thereat. In

the event of default in doing so on two consecutive dates, the trial court shall cancel the bail of the petitioner and ensure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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