

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49937 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -AMBA District- AURANGABAD

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1. Dipak Yadav Son of Rameshwar Yadav Resident of village - Jora, Police Station - Amba, District - Aurangabad.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Munna Prasad Singh

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 14-12-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Amba P.S. Case No. 22 of 2015 registered for the offences punishable under Sections 304B, 201/34 of the Indian Penal Code.

The daughter of the informant was married to petitioner in the year 2009 and out of wedlock there is a son namely, Prince Kumar but due to non-fulfillment of demand of dowry the daughter of the informant was assaulted and killed by the petitioner and other in-laws.

Submission is of false implication only on the basis of suspicion but after knowing the real fact the informant has filed petition retracting from his earlier version showing innocence of the petitioner vide annexure-3. Other in-laws have been granted pre-arrest bail and the petitioner has voluntarily surrendered on

18.08.2015 in the light of observation made vide order dated 10.08.2015 passed in Cr. Misc. No. 12562 of 2015. Chargesheet has already been submitted and there is no chance of tampering with prosecution evidence.

Learned APP fairly submits that in the order dated 10.08.2015 passed by another co-ordinate Bench of this Court there is observation that the facts stated may be the good ground for consideration of regular bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Amba P.S. Case No. 22 of 2015, 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)

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