

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7860 of 2016

Arising Out of PS.Case No. -361 Year- 2014 Thana -FATEHPUR District- GAYA

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1. Uma Shankar Prasad Yadav S/o Late Deena Yadav @ Late Daso Yadav
@ Prasad resident of Village- Sandeshwar, P.S.- Fatehpur, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 22-06-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under section 304 (B)/34 of the I.P.C

Urmila Devi, the sister of the informant, was married
to Upendra Prasad Yadav, the son of the petitioner, about 6 ½
years ago and out of the wedlock there is a son aged four years
and allegedly due to non fulfillment of demand of additional
dowry she was being tortured and ultimately she was strangled
to death by pressing her neck with rope by the petitioner and other
in-laws. Earlier also there was a case for demand of dowry
wherein the husband was sent to jail.

Submission is of false implication and that there is no

specific allegation against the petitioner, he is an old father-in-law having no concern with the deceased or her husband, the petitioner is living separately and without any fault he is suffering in custody since 20.10.2015.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering that the petitioner is father-in-law, 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 Sri P.K.Jha, J.M. 1st Class, Gaya in Fatehpur P.S. Case No. 361 of 2014, 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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