

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52729 of 2015

Arising Out of PS.Case No. -50 Year- 2012 Thana -NIMCHAKBATHANI District- GAYA

1. Ram Pravesh Yadav son of Jhitki Yadav @ Nanhku Yadav Resident of
Village - Mandiyara, Police Station - Nimchak Bathani, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Smt. Rita Verma(App)

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

3 16-02-2016 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 sections 304 (B) and 201/34 of the I.P.C

Pratima Devi, the daughter of the informant, was
married to the petitioner in the year 2005 and due to non
fulfillment of demand of dowry by way of Rs. 50,000/- she was
being tortured, assaulted and ultimately was killed and further her
dead body was also cremated by the petitioner and other in-laws.

Submission is of false implication and that purposely
the informant has not given the date of marriage, the marriage has
taken place seven years before and as such no offence under
section 304 (B) of the I.P.C. is made out, out of the wedlock there

is a daughter aged about 1½ years, there was cordial relation between the petitioner and his wife, no demand was ever made by the petitioner and the informant after realizing the truth has filed compromise petition also vide Annexure-3 and as such the petitioner who is suffering in custody since 02.09.2015 deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that the petitioner is the husband.

In the facts and circumstances as stated above, considering that now the informant is not ready to support the prosecution case 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 A.C.J.M. Xth, Gaya in Nimchak Bathani P.S. Case No. 50 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)

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