

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58062 of 2015

Arising Out of PS.Case No. -32 Year- 2014 Thana -CHAKAI District- JAMUI

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1. Kundan Yadav S/o Natho Yadav Resident of Village - Dhathuriya, P.S. - Chakai, District - Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sinha

For the Opposite Party/s : Mr. Amit Kr.Rakesh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-02-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Chakai P.S. Case No. 32 of 2014 registered for the offence punishable under Section 304B of the Indian Penal Code.

Renu Devi @ Renu Kumari, the daughter o the informant was married to the petitioner in the year 2012 and due to non-fulfillment of demand of dowry by way of colour TV and cash of Rs. 2,00,000/- she was being tortured and assaulted and ultimately she was killed by the petitioner and other in-laws.

Submission is of false implication and that at the time of occurrence the petitioner was not present at his house, he works in Guzarat and the wife of the petitioner was pressurizing him to live with him at Guzarat but due to paucity of funds the petitioner was



not able to take away her at Gujarat, resulting, she committed suicide herself by closing the door which is evident from paragraph 10 of the case diary wherein the I. O. has mentioned the place of occurrence and further the witnesses vide paragraphs 12 to 17 have stated that the wife of the petitioner committed suicide as she was not taken to Gujarat by the petitioner, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP opposes the prayer of bail by submitting that the petitioner is the husband and in FSL report poisonous substance was detected in the viscera of the deceased.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 Sri Lalan Kumar, Judicial Magistrate Ist Class, Jamui in connection with Chakai P.S. Case No. 32 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.

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(Jitendra Mohan Sharma, J)