

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38099 of 2016

Arising Out of PS.Case No. -68 Year- 2000 Thana -BARACHATTI District- GAYA

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1. Vijay Yadav Son of Mahadeo Yadav, Resident of Village- Sahganj, P.S. Mohanpur, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 29-09-2016

Heard learned counsels for the petitioner and the State.

The petitioner being brother of the husband of the informant's daughter is languishing in custody since 3.6.2016 in a case registered under Sections 498A, 304B and 201/34 of the Indian Penal Code.

The accusation is of killing the daughter of the informant after six years of marriage for non fulfillment of dowry demands.

Learned counsel for the petitioner submits that the petitioner works at Ludhiana and has been roped in the present case since he happens to be the brother of the husband of the victim. It is further submitted that co accused Rajo Yadav, Akalu Yadav and Gobardhan Yadav have been acquitted vide judgment dated

29.5.2010 passed in S.T. No. 650 of 2009/ 223 of 2003.

The report of the learned 9th Additional District and Sessions Judge, Gaya reflects that the matter is still pending for appearance. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the fact that there is no likelihood of the trial being concluded in near future and the co accused have been acquitted, let the above named petitioner 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 learned 9th Addl. Distrit and Sessions Judge, Gaya in connection with Barachatti (Mohanpur) P.S. Case No. 68 of 2000.

Since the complaint was filed in 2000 and the petitioner surrendered on 3.6.2016, the learned court below shall be at liberty to cancel the bail bonds of the petitioner in case the petitioner defaults without any reasonable cause on two consecutive occasions.

(Dinesh Kumar Singh, J)

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