

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8805 of 2016

Arising Out of PS.Case No. -149 Year- 2014 Thana -BHAGWANPUR District- BEGUSARAI

=====

1. Jaishankar Yadav S/o Late Yogendra Yadav R/o Village - Nauladih, P.S.
- Bhagwanpur, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. J.N.Thakur(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 25-04-2016 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 offence
punishable under section 304B/34 of the I.P.C

Punam Devi, the daughter of the informant, was
married to the petitioner in the year 2012 and allegedly due to non
fulfillment of demand of motorcycle and two bhar gold 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 the
petitioner is in custody since 24.09.2015, trial is going on against
two co-accused, namely, Lalan Yadav and Dayawati Devi, bearing
Sessions Trial No. 197 of 2015, wherein the informant has been

examined as P.W.4 and he has been declared hostile, he has not supported the prosecution version and has specifically stated that no dowry was ever demanded, against the petitioner charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. fairly submits that from perusal of copy of deposition of the informant of Sessions Trial No. 197 of 2015 it reveals that now the informant is not ready to support the prosecution version, vide Annexure-4.

In the facts and circumstances as stated above, 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 C.J.M. Begusarai in Bhagwanpur P.S. Case No. 149 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)

Abhay/-

U		T	
---	--	---	--