

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50571 of 2015

Arising Out of PS.Case No. -81 Year- 2015 Thana -VIJAYPUR District- GOPALGANJ

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Lal Babu Yadav, son of Jhagru Yadav, Resident of village Birwat, P.S
Vijayipur, District Gopalganj.

.... Petitioner

Versus

1. The State of Bihar.
2. Rajli Devi, w/o Shivsagar Chaudhary, resident of village Sumeri
Chhapar, P.S- Bhore, District -Gopalganj.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shashi Bhushan
For the Opposite Party : Mr. Smt. Anuradha Singh(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

4 04-02-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner is accused in connection with Vijayipur
P.S. Case No. 81 of 2015, registered under Section 302, 201/34 of the
Indian Penal Code.

The prosecution case is that the marriage of Bhagyamati
Devi, daughter of the informant, Rajli Devi was performed with the
petitioner and due to the wedlock three children have been born. Out
of which, his one son is aged about 08 years and two daughters are
aged about 06 years and 02 years, respectively. The petitioner used to
torture Bhagyamati Devi due to non-fulfillment of demand of dowry
i.e. Rs. Two lakh and motorcycle. On 01.07.2015 at about 06.00
informant came to know that her daughter has been murdered by the

accused persons, including the petitioner. Then she reached along with others at her funeral place at Bharhi river, where the dead body of her daughter was being burnt.

Learned counsel appearing on behalf of the petitioner submits that petitioner is the husband of the deceased, who, in fact died due to illness and after giving information to the informant, her last rituals were performed on 01.07.2015 in presence of the informant, but due to ulterior motive the present case was lodged on 03.07.2010 making the allegation of demand of dowry and causing death of the deceased against the petitioner and his other family members. Further submission is that admittedly there is one son and two daughters due to the wedlock, but the Police has not recorded their statements.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Gopalganj in connection with Vijayipur P.S. Case No. 81 of 2015.

(Rajendra Kumar Mishra, J)

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