

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6227 of 2016

Arising Out of PS.Case No. -25 Year- 2015 Thana -RAMPUR CHAURAY District- JEHANABAD

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1. Pramod Yadav Son of Raja Ram Yadav, resident of Village- Sukhi Bigha, Police Station- Rampur Chauram in the District of Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. L.K.Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-04-2016 Heard the learned counsel for the petitioner and the learned A.P.P. representing the State.

The petitioner seeks bail in connection with Rampur Chauram P.S. Case No. 25 of 2015 registered for the offences punishable under Sections 304(B) and 120(B)/34 of the Indian Penal Code.

Allegedly, Suggi Devi, the daughter of the informant was married to the petitioner in the year 2012 and allegedly, on the ground that adequate dowry was not given, she was being tortured and assaulted by the petitioner and other in-laws and ultimately, due to non fulfillment of additional demand of dowry by way of she-buffalo, cash of Rs. one lakh and gold chain, she was strangled to death and the accused

persons were trying to cremate her dead body.

Submission is of false implication and that the petitioner was having cordial relation with his wife, no demand was ever made, the wife of the petitioner fell ill and her condition became serious, due information was given to the informant and his family members but later on, the informant only with oblique motive lodged this false case. The Doctor, who has conducted the post-mortem examination, has found the cause of death by cardiac respiratory failure and no injury was found on her body or neck, and as such, the petitioner, who is suffering in custody since 31.07.2015, deserves sympathetic consideration. Charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. opposes the prayer of bail by submitting that the petitioner is the husband.

In the facts and circumstances stated above, considering that no injury was found on the person of the deceased, charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence, and as such, 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

the learned Chief Judicial Magistrate, Arwal in connection with Rampur Chauram P.S. Case No. 25 of 2015, 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.

ajaypd./-

(Jitendra Mohan Sharma, J)

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