

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55841 of 2015

Arising Out of PS.Case No. -4 Year- 2015 Thana -DEOKUND District- AURANGABAD

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Dinesh Yadav S/o Late Ram Pravesh Yadav, R/o Village- Aurani Par, P.S.-
Deokund, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh, Advocate
For the Opposite Party/s : Mr. A.Haque Sahara(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 10-02-2016 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 304(B)/34 of the Indian Penal Code.

Kabita Devi, the daughter of the informant was
married to petitioner five years ago and allegedly, due to non-
fulfillment of demand of motorcycle, she was being assaulted by
the petitioner and other in-laws and ultimately, she was burnt to
death.

Submission is of false implication and that there was
cordial relation between the petitioner and his wife, she died due
to burnt injury which she received at the time of boiling paddy in
the earthen oven in the house and due information was given to
the informant, it is a case of accidental death, the informant after

realizing the truth has filed a petition (affidavit) in the learned court below in this regard vide Annexure-2 and as such the petitioner, who is suffering in custody since 2.9.2015, deserves sympathetic consideration.

The learned A.P.P. opposes the prayer by submitting that the petitioner is the husband.

In the facts and circumstances stated above, considering that the informant now is not supporting the prosecution version 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 J.M. 1st Class, Daudnagar, Aurangabad in connection with Deokund P.S. Case No.4 of 2015, subject to the conditions that one of the bailors must be 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)

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