

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7412 of 2016

Arising Out of PS.Case No. -142 Year- 2015 Thana -MAJHAHGARH District- GOPALGANJ

=====

Madan Yadav S/o Late Shiv Pujan Yadav Resident of Village- Manjhagarh,
Gulam Hussain Tola, P.S.- Manjhagarh, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar
2. Dharmendra Kumar Yadav, S/o Sri Dahari Yadav, R/o Village- Kakar
Kund, Goraiya Khal, P.S.+District- Gopalganj.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Nirmal Kr. Sinha(App)

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 12-04-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

In this case the petitioner is seeking bail in
connection with Manjhagarh P.S. Case No.142/15 for the offence
under Section 304(B)/34 of the I.P.C.

In the F.I.R. it has been alleged that the victim has
been killed by the petitioner and the other family members. In the
different paragraphs of the case diary it has been mentioned that
on account of torture perpetuated to the victim for non-fulfillment
of dowry demand she was compelled to commit suicide.

Counsel for the petitioner submits that on the date of
occurrence the petitioner was in foreign country and he was not

present in India at the time of occurrence. The seal of the Air Port Delhi on VISA shows that the petitioner departed from New Delhi Air Port for foreign country on 5.2.2015 and he returned India on 14.8.2015 whereas the occurrence had taken place on 11.7.2015. In support of his submission he has submitted photocopies of the Passport and VISA contained in Annexure-3 which shows the absence of the petitioner in India at the time and the date of the occurrence.

However, let the petitioner should produce original Passport and VISA before the court below and if it finds the same correct, the court below will grant bail to the petitioner on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Sri Vivek Kumar Singh, J.M. 1st Class, Gopalganj, in Manjhagarh P.S. Case No.142/1563..

(Shivaji Pandey, J)

AnilKrSinha/-

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