

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.52826 of 2016**

Arising Out of PS.Case No. -71 Year- 2016 Thana -SABAUR District- BHAGALPUR

Prabhu Yadav, Son of Shushil Yadav, resident of Village Bharokhar, P.S.  
Goradih (Sabour), District Bhagalpur

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2 19-12-2016 Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since  
07.08.2016 in connection with S.T. No. 656/16, arising out of  
Sabour (Goradih) P.S. Case No. 71/16 registered for the offences  
punishable under Sections 304-B, 120-B/34 of the Indian Penal  
Code.

The prosecution case, as lodged by the father of the  
victim girl is that his daughter Gunjan Kumari was married to one  
Shyam Yadav in the year 2013 and her husband along with other  
co-accused for non-fulfilment of demand of dowry has killed her  
daughter.

It has been submitted by the learned counsel for the  
petitioner that he is brother-in-law (Nandoi) of the deceased and  
languishing in custody since 07.08.2016. He submits that general



and omnibus allegation has been levelled against him and the husband of the deceased is already in custody. He further submits that the petitioner has a separate home and hearth and has no concerned with the family affairs of the deceased. It is further submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances and submission of the parties, since charge-sheet has been submitted and mother-in-law, father-in-law and *gotni* of the deceased have already been granted anticipatory bail by a Coordinate Bench of this Court (Annexure-2) and that the husband is already in custody, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.D.J. VIth, Bhagalpur, in connection with Sabour (Goradih) P.S. Case No. 71/16.

**(Nilu Agrawal, J.)**

Rajesh/-

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