

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29203 of 2017

Arising Out of PS.Case No. -114 Year- 2016 Thana -DULHIN BAZAR District- PATNA

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1. Rakesh Yadav Son of Yamuna Yadav Resident of Village- Gulalchak,
Fatehpur, Police Station- Dulhin Bazar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr. Sri Indra Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 07-08-2017 Learned counsel for the petitioner is permitted to make
necessary correction in the prayer portion of the application.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is *dever* of the deceased is
languishing in judicial custody since 24.04.2017 in connection
with S.T. No. 434 of 2017 arising out of Dulhin Bazar P.S. Case
No. 114 of 2016 for offences punishable under Sections 304(B),
201/34 of the Indian Penal Code and Section 34 of the Dowry
Prohibition Act.

The prosecution case, as lodged by the informant, is
that his sister Rita Devi was married to one Sanjay Yadav on



28.04.2016 and due to non fulfillment of demand of dowry, she has been killed and her dead body was made to disappear.

It has been submitted by the learned counsel for the petitioner that he is innocent and only general and omnibus allegation has been leveled against him and husband is already in custody. Father-in-law of the deceased has already been granted privilege of bail by this Court in Criminal Miscellaneous Case No. 28073 of 2017 on 28.07.2017. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that sister of the informant was done to death within two months of her marriage.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-II, Danapur, Patna, in connection with S.T. No. 434 of 2017 arising out of Dulhin Bazar P.S. Case No. 114 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner and that petitioner will appear



before the learned court below during trial as and when required and failure to appear on three consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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