

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54883 of 2017

Arising Out of PS.Case No. -139 Year- 2016 Thana -IMAMGANJ District- GAYA

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1. Brajesh Yadav, Son of Vishnu Yadav, Resident of Village- Menka, P.S.-
Imamganj, Dist- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Devnandan Yadav, Son of Late Musan Yadav, Resident of Village-
Miniya, P.S.- Partappur, Dist- Chatra (Jharkhand).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 07-12-2017 Heard the counsels for the parties.

The petitioner, who is the husband of the deceased, seeks bail in connection with Imamganj P.S. Case No. 139/2016 dated 23.08.2016 instituted initially for the offences under Sections 341, 323, 498(A) of the Indian Penal Code read with Sections 3 & 4 of the Dowry Prohibition Act, but later Section 302 of the Indian Penal Code was added.

It has been submitted on behalf of the petitioner that vague allegations have been levelled in the F.I.R. No doubt, the husband has the responsibility towards his wife, but regard being had to the fact that the petitioner is in custody since 07.09.2016 and even charges in this case have not been framed, this Court is



constrained to direct for the release of the petitioner. While saying so, the Court has also taken note of the fact that charge-sheet in this case has already been submitted long time ago and no effort has been made by the prosecution to proceed in the trial.

Regard being had to the aforestated facts, the petitioner above named is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Sherghati, Gaya in connection with Imamganj P.S. Case No. 139/2016.

(Ashutosh Kumar, J.)

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