

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54876 of 2016

Arising Out of PS.Case No. -87 Year- 2016 Thana -FATEHPUR District- GAYA

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1. Anil Yadav, Son of Narayan Yadav, Resident of Village- Sardarpur,
P.S.- Fatehpur, Dist.- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deep Nishi

For the Opposite Party/s : Mr. Sri Shantanu Kumar

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

4 28-01-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Fatehpur P.S. Case No. 87 of 2016 for the offences punishable under sections 304 B and 201/34 of the I.P.C.

Soni Devi, the daughter of the informant, was married to Vinay Yadav six years ago and after gauna the in-laws started torturing her for non fulfillment of demand of dowry by way of Rs. 50,000/- and ultimately killed her and threw the dead body in the well.

Submission is of false implication and that the petitioner is the resident of another village having no concern with



the family affairs of the deceased and her husband, the husband is already in custody, there is no specific allegation against the petitioner, the deceased was suffering from mental disease and she was treated by several doctors since 2015, after search her dead body was recovered from a well and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

In the facts and circumstances as stated above, considering that husband is already in custody, the petitioner is maternal brother of husband of the deceased and he lives in another village and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. J.M. 1st Class, Gaya in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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