

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.892 of 2017

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Abhishek Yadav, Son of Late Banarasi Yadav, Resident of Village-
Mirzapur, P.S.-Bounsi, District-Banka

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party : Mr. Jitendra Kumar Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 08-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Bounsi P.S. Case No. 03 of 2016, registered for the offences
punishable under Sections 364, 364(A) of the Indian Penal Code.

Allegedly, the petitioner being the brother-in-law of
Rajiv Yadav, who was married to Rozy Devi in July 2009 and out
of the wedlock there is a four years daughter and a one year son
and allegedly due to non-fulfillment of demand of dowry the Rozy
Devi was being tortured by her husband and Ammo Yadav and
from 25.09.2015 Rozy Devi has been made traceless and when
the informant was searching his daughter, the petitioner told him
that his sister has been made traceless and it is not possible to



search her and then officer-in-charge Bounsi was contacted to lodge the case, but no case was lodged then Complaint case was filed.

Submission is of false implication and that the petitioner has got no concerned with Rajiv Yadav or Rozy Devi, there is no allegation for demanding dowry as the petitioner is the brother-in-law of Rajiv Yadav, he has been made accused in this case and allegation has been levelled against him also falsely. The petitioner has never said anything to the informant regarding his daughter and during investigation up till now the case has been found true against Rajiv Yadav and Ammo Yadav, vide para 64 of the case diary and, as such, the petitioner deserves sympathetic consideration.

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

In the facts and circumstances as stated above, considering that the petitioner is the relation of Rajiv Yadav being brother-in-law, he is living separately and, as such, the petitioner in the event 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 learned A.C.J.M-III, Banka, in connection with Bounsi P.S. Case No. 03 of 2016 (G.R. No. 106 of 2016), subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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