

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15849 of 2017

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

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1. Chando Yadav Son of Gopi Yadav, Resident of Village- Dangra, P.S.- Fatehpur, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deep Nishi, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 24-07-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in jail since 18.12.2016 in a case registered for the offences punishable under Sections 304 B and 201/34 of the Indian Penal Code.

The prosecution case as lodged by the mother of the deceased (Soni Devi) is that she was subjected to torture by her in-laws for non-fulfillment of demand of dowry and all the accused persons including the petitioner killed her daughter and threw her body in the well.

It has been submitted by the learned counsel for the petitioner that he is innocent and general and omnibus allegations have been levelled against him and the petitioner is



father-in-law and husband of the deceased is in custody. He further submits that charge sheet has already been submitted hence there is no chance of tampering with the prosecution evidence and the mother-in-law has already been granted bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 28647 of 2017 on 06.07.2017 on similar allegations. The Viscera report received from Forensic laboratory does not specify signs of poison.

However learned A.P.P. for the State opposes prayer for bail.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, Gaya in connection with Fatehpur P.S.Case No. 87 of 2016, subject to the condition that the petitioner will appear before the learned Court below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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