

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53157 of 2018

Arising Out of PS.Case No. -83 Year- 2016 Thana -GANDHIMAIDAN District- PATNA

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1. Ganesh Prasad Yadav @ Ganesh Kumar Son of Dev Babu Yadav
Resident of Mohalla- Salimpur Ahra, Hazam Toli, P.S. Gandhi Maidan
District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mithlesh Kumar Gupta

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-09-2018 Earlier prayer for bail of the petitioner was dismissed vide order dated 29.03.2017 passed in Cr. Misc. No. 14450 of 2017 in connection with Gandhi Maidan P.S. Case No. 83 of 2016 and petitioner happens to be husband of the deceased and case is under Section 304B of Indian Penal Code.

Submission of learned counsel for the petitioner that he has falsely been made accused in this case, which will appear from the fact that now the father and mother of deceased have been examined in trial and they have not supported the case of prosecution. Petitioner has been in judicial custody since 06.06.2016.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts,



let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Presiding Officer, Fast Track Court No. -2, Patna/ concerned court, where the case is pending, in connection with Gandhi Maidan P.S. Case No. 83 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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