

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.60461 of 2018**

Arising Out of PS. Case No.-107 Year-2018 Thana- RAMGARHWA District- East  
Champaran

=====

Gaya Yadav S/o Sobhi Yadav, R/o Vill.- Bhedihari, P.S.- Ramgarhwa, District-  
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma  
For the Opposite Party/s : Mr. Kanhaiya Kishore

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      26-10-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case  
registered under Section 304(B)/34 of the Indian Penal Code.

Allegation is that the accused persons including the  
petitioner caused death of the daughter of the informant due to  
non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the  
petitioner has got no criminal antecedent. There is no allegation  
of tampering of witnesses alleged against the petitioner. The  
petitioner has falsely been implicated in the present case. It is  
evident from perusal of Annexure-2 to the present application  
that the informant has retracted from his earlier statement made



in the F.I.R. He has filed a petition in the court below stating that the present case has been instituted due to mistake of fact.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Raxaul, Motihari, East Champaran in connection with Ramgarhwa P.S. case No.107 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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