IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41315 of 2018

Arising Out of PS.Case No. -200 Year- 2017 Thana -IMAMGANJ District- GAYA

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Anil Yadav, Son of Deena Yadav, resident of Village- Alinagar, P.S. Imamganj, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner : Mr. Arvind Kumar Singh and Mr. Mukul Jee, Advocates.
For the Opposite Party : Mr. Rajeev Nayan, A.P.P. 231.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-07-2018 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 08.05.2018 in a case for the offence registered under Sections 498(A), 304(B), 201 and 120(B) of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner killed the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the

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petitioner. The petitioner has been made accused in the present case due to mistake of fact. In course of investigation, in paragraph no. 12 of the case diary, it has come that the deceased had fallen ill and while she was taken to hospital for treatment, she died. The alleged occurrence is said to have taken place on 07.08.2017 and complaint case was filed on 23.09.2017. The said complaint case was later on converted under Section 156(3) Cr. P.C. as an F.I.R. Delay in instituting the case has not been explained by the prosecution.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Sherghati (Gaya), in connection with Imamganj P.S. Case No. 200 of 2017.

U.K./-

(Sudhir Singh, J)

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