

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27897 of 2018

Arising Out of PS. Case No.-156 Year-2017 Thana- RAFIGANJ District- Aurangabad

Shailesh Yadav S/o Rajendra Yadav @ Jharwari Yadav, Resident of Village-
Kotwara, P.S.-Rafiganj, District-Auranbadad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

7 10-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with S.Tr. No. 74/18/251 arising out of Rafiganj P.S. Case No. 156 of 2017 registered for the offence punishable under Sections 304(B)/34 of the Indian Penal Code.

Informant is the father of deceased, who in his written complaint has stated that the marriage of his daughter Rani Devi was solemnized with petitioner three years before. After marriage she was assaulted and abused by her in laws including petitioner for demand of dowry. On 28.09.2017 at 2.00 AM in the night he received information on mobile from the brother of petitioner that his daughter has died and when he went there he found his daughter lying dead in the courtyard.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this



case. It has been further submitted that prior to marriage deceased was suffering from epilepsy and on the date of occurrence also she fell unconscious, thereafter she was taken to Sadar Hospital, where she was declared brought dead. According to postmortem report no external injury was found on the person of the deceased. Viscera report was called for from Forensic Lab, Patna and same was produced in High Court in sealed cover and perusal of which denies poisoning. Petitioner has no criminal antecedent and is in custody since 14.11.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Aurangabad, in connection with S.Tr. No. 74/18/251 arising out of Rafiganj P.S. Case No. 156 of 2017.

Let the Viscera Report be send to the concerned court under sealed cover forthwith.

(S. Kumar, J)

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