

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.944 of 2018

Arising Out of PS.Case No. -12 Year- 2017 Thana -NIMCHAKBATHANI District- GAYA

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1. Suneel Yadav S/o Lakhan Yadav, R/o village- Oranpura, P.S.- Nimchak Bhathani, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lilawati Singh

For the Opposite Party/s : Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

This is the second round of litigation. Earlier the bail application of the petitioner was rejected vide order dated 11.10.2017, passed in Cr. Misc. No. 43292 of 2017.

Petitioner, who is the father-in-law of the deceased sister of the informant, is languishing in judicial custody since 10.07.2017 in connection with Sessions Trial No. 384/17/ 543/17, arising out of Nimchak Bhathani P.S. Case No. 12/2017 for offences punishable under Sections 304-B/201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is



that when he had gone to his sister's matrimonial house on 12.01.2017, it came to his knowledge that his sister had been killed way back on 18.08.2016 for non-fulfillment of demand of dowry.

It has been submitted by the learned counsel for the petitioner that he is innocent and being the father-in-law of the deceased sister of the informant, he has been falsely implicated in the aforesaid case. He submits that although it came to the knowledge of the informant about disappearance of his sister on 12.01.2017, but First Information Report was lodged on 22.01.2017 and no plausible explanation has been given for such delay. He further submits that charges have been framed and petitioner undertakes to cooperate in the trial on day-to-day basis.

However, learned APP for the State opposes the prayer for bail stating therein that the husband of the deceased and the petitioner were last seen with the deceased sister of the informant.

Considering the facts and circumstances and the materials on record as well as the undertaking of the petitioner, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned F.T.C. 1st, Gaya, in



connection with Sessions Trial No. 384/17/ 543/17, arising out of
Nimchak Bhathani P.S. Case No. 12/2017, subject to the following
conditions :

- (i) One of the bailors would be a close relative of the
petitioner having sufficient immovable property, who
will file an affidavit stating his relationship with the
petitioner.
- (ii) Petitioner will appear before the learned court below
during trial as and when required and failure to appear
on two consecutive dates without assigning any reason
will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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