

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38788 of 2018

Arising Out of PS.Case No. -108 Year- 2007 Thana -MAKHDUMPUR District- JEHANABAD

=====

1. Chandeshwar Yadav S/o Late Basudeo Yadav, R/o Vill.- Madarichak,
P.S.- Makhdumpur in the District of Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Smt. Gulnar Begam

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Makhdumpur (Tehta O.P.) P.S.Case no.108 of 2007 , registered for offences punishable under Sections 304(B), 201 and 120(B) of the Indian Penal Code.

Petitioner is the father-in-law and the case is of dowry death.

Submission of the learned counsel for the petitioner is that after investigation the police has not sent up the petitioner for trial, however, the learned Magistrate differing with the opinion has taken cognizance against the petitioner under Section 306 of the IPC and there is no specific allegation attributed against the petitioner and the other co-accused person, who are mother-in-law and the sister-in-law, have been granted privilege of the



anticipatory bail vide order date 9.4.2018 passed in Cr. Misc. No1.5384 of 2018.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sri P.K. Bharti, J.M. 1st Class, Jehanabad in connection with Makhdumpur (Tehta) P.S.Case no.108 of 2007 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With 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 co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

