

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16974 of 2019

Arising Out of PS. Case No.-146 Year-2018 Thana- CHOUTARWA District- West
Champaran

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SUNIL YADAV, aged about 30 years (Male), Son of Rajbanshi Yadav,
Resident of Village - Majhaua, P.S.- Chautarwa, District - West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Bimlesh Kumar Pandey, Advocate.
For the Opposite Party : Mr.Arun Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 18-06-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
28.09.2018 in a case for the offence registered under Sections
304(B) and 201/34 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
petitioner. The petitioner has falsely been implicated in the



present case. The petitioner is the husband of the deceased. From perusal of paragraph nos. 79, 80 and 81 of the case diary, it is evident that the independent witnesses, in course of investigation, have stated that the deceased had died due to prolonged illness. Hence, no offence under Section 304(B) of the IPC is made out.

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

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 A.C.J.M. Ist Class, Bagaha, West Champaran, in connection with Chautarwa P.S. Case No. 146 of 2018.

(Sudhir Singh, J)

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