

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31621 of 2019

Arising Out of PS. Case No.-26 Year-2018 Thana- BHAGWANGANJ District- Patna

Subhash Yadav, (Male) aged about 35 years, Son of Sitab Yadav, Resident of Village - Kajichak, P.S.- Bhagwanganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Adv.

For the Opposite Party/s : Mr.Ramchandra Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 17-08-2019 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Sections 304(B), 201, 34 of the Indian Penal Code.

Informant has alleged that marriage of his sister was solemnized with petitioner 6-7 years earlier but thereafter she was being subjected to torture for non-fulfillment of demand of motorcycle and other articles and was threatened that she will be killed if the demand is not fulfilled. On 24.02.2018 when he went to matrimonial house of her sister he was told that his sister had gone somewhere and thereafter he tried to locate her but she could not traced. He suspected that she has been killed and her dead body has been concealed.



It has been submitted on behalf of the petitioner that he is innocent and demand of dowry is false and incorrect. From the wedlock two daughters are born and she went away with her own volition without any information to him or any of the family members. However, she could not be traced as yet. Chargesheet has already been submitted against the petitioner. He is in custody since 30.03.2018 having no criminal antecedent.

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 A.D.J.-VIII, Patna, in connection with Bhagwanganj P.S. Case No. 26 of 2018 (S.T. No. 448 of 2018), subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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