

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.77757 of 2018

Arising Out of PS. Case No.-233 Year-2016 Thana- GOPALPUR District- Bhagalpur

Jitendra Yadav Son of Parmanand Yadav Resident of village- Bhawanipur,
P.S.- Gopalpur, Disrict- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate

: Mr. Dinesh Chaudhary, Adv.

For the Opposite Party/s : Mr.Sri Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 30-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Sessions Trial No. 782 of 2017 arising out of Gopalpur P.S. Case No. 233 of 2016 registered for the offence punishable under Section 304(B)/34 of the Indian Penal Code.

Allegation against petitioner and other co-accused is that they used to torture the daughter of the informant and thereafter she was killed for non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Case diary was called for and perusal of which shows that neighbours and co-villagers of petitioner have stated that deceased tried to commit suicide by hanging and she was brought down and carried to hospital but could not be saved. There is no eye



witness of the occurrence. Petitioner has no criminal antecedent and he is in custody since 28.04.2017.

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, 2nd Naugachia, District-Bhagalpur, in connection with Sessions Trial No. 782 of 2017 arising out of Gopalpur P.S. Case No. 233 of 2016 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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