

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77724 of 2018

Arising Out of PS. Case No.-138 Year-2017 Thana- AMAS District- Gaya

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1. Malti Devi Wife of Rupu Yadav @ Rup Narayan Yadav
 2. Ravi Ranjan @ Ravi Ranjan Yadav Son of Rupu Yadav @ Rup Narayan Yadav Resident of Village-Kasiyadih, P.s. Amas, Distt.-Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Neeraj Parashar

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 06-03-2019 Heard parties.

Petitioner no. 1 was granted bail by this court vide order 03.01.2019 and for consideration of bail of the petitioner no. 2 case diary was called for.

Petitioner no. 2 seeks bail in Amas P.S. Case No. 138 of 2017 registered for the offence punishable under Sections 147, 304B and 201 of the Indian Penal Code.

Allegation against petitioner no. 2 is of killing the daughter of the Informant for non fulfillment of demand of dowry alongwith FIR named accused.

It has been submitted on behalf of the petitioner no. 2 that he is innocent and has been falsely implicated in this case. It has been further submitted that petitioner no. 2 never



demanded dowry or subjected her to cruelty. Petitioner no.2 has got no criminal antecedent and is in custody since 31.08.2018.

Considering the aforesaid facts and circumstances of the case and perusing the case diary and the fact that petitioner is husband and it is his responsibility to protect his wife, I am not inclined to enlarge the petitioner no.2 on bail at this stage. Hence, the prayer for bail of the petitioner no. 2 is hereby rejected.

However, it is observed that the petitioner no. 2 be released **on bail after six months of framing of charge**, upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Judicial Magistrate-1st Class, Sherghatti (Gaya)** in connection with **Amas P.S. Case No. 138 of 2017**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner no. 2 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 the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.



(3) If the petitioner no. 2 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 no. 2.

(S. Kumar, J)

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