

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20609 of 2020

Arising Out of PS. Case No.-235 Year-2019 Thana- AKBARPUR District- Nawada

PAPPU YADAV S/o Sundar Yadav R/o village- Hurrahi, P.S.- Akbarpur,
District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-07-2020 The matter has been taken up through virtual court
proceeding.

Since, the physical court is not functional, due to
present pandemic Covid-19, the present application has been
listed with defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of resumption of
functioning of the court in physical mode.

If the defects are not removed within undertaken
period, the office will again place the matter on board.

Heard learned counsel for the petitioner and the State.

The petitioner, being the husband of the victim, who



is languishing in custody since 26.10.2019, has preferred the present application for grant of bail in a case registered for the offences punishable under Sections 304B/34 of the IPC.

The prosecution case, as per the written report of Ramlal Prasad Yadav @ Golu Yadav, submitted to the S.H.O., Akbarpur Police Station is to the effect that the daughter of the informant was married with the petitioner about four years prior to the lodging of the FIR. For some time, the relationship between the petitioner and the daughter of the informant was cordial, but subsequently, further dowry demand of a motorcycle and a gold chain was made and due to non-fulfillment of the same, the daughter of the informant was killed by all the accused persons including the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is an illiterate person, whereas the victim was a literate women and due to that reason, the victim was not satisfied with her marriage and hence, she committed suicide. It is further submitted that the investigation has already been concluded and chargesheet has been submitted under Section 306 of the IPC. The accusation is not being corroborated by the medical opinion.

Learned APP submits that the thrust of accusation is



against the petitioner, being the husband of the victim.

Considering the fact that the accusation is not being corroborated by the medical opinion and on conclusion of investigation, chargesheet has been submitted under Section 306 of the IPC, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned ACJM-I, Nawada in connection with Akbarpur P.S. Case No. 235/2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of ACJM-I, Nawada in connection with Akbarpur P.S. Case No. 235/2019.

The learned Court below will be at liberty to extend the period of provisional bail further if the court proceeding in



physical mode will not resume in next three months.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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