

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28918 of 2020

Arising Out of PS. Case No.-172 Year-2019 Thana- SIKTI District- Araria

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KAILASH YADAV @ KAILASH KUMAR YADAV S/o Late Shiv Prasad
Yadav Resident of Village-Kanwakoh, P.S.-Bardaha (Sikty), District-Araria.
... .. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh
For the Opposite Party/s : Ms. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-11-2020 The present petition has been taken up for

consideration through the mode of Video Conferencing in view

of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and

Ms. Anita Kumari Singh, the learned APP for the State.

The petitioners seek regular bail in connection

with Sikty (Bardaha) PS case no. 172 of 2019 instituted for the

offences punishable under Sections 304(B), 201/34 of Indian

Penal Code.

The allegation is regarding the accused persons

specially the husband of the deceased having killed the younger

sister of the informant on account of non-fulfilment of the

demand for dowry.

The learned counsel for the petitioner has

submitted that the petitioner is innocent, has been falsely



implicated in the present case, is having clean antecedent and is languishing in custody since 20.12.2019. It is further submitted that the petitioner is the brother-in-law of the deceased victim lady and has got nothing to do with either his brother or his sister-in-law and the fact is that the husband of the deceased victim lady is already behind bars, hence no prejudice will be caused to the prosecution, in case the petitioner is granted bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the petitioner is the brother-in-law of the deceased victim lady and the husband is already behind bars, I deem it fit and appropriate to direct for release of the petitioner on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st class, Araria in connection with Sikty (Bardaha) PS case no. 172 of 2019.

(Mohit Kumar Shah, J)

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