

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32199 of 2021

Arising Out of PS. Case No.-22 Year-2020 Thana- PANDARAK District- Patna

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DILER YADAV @ DILER PRASAD Son of Ramanandan Yadav @
Ramnandan Gope Resident of Village - Chintamanchak, P.S.- Pandarak,
District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Pandarak Police Station Case No. 22 of 2020, registered for the
offences punishable under Sections 304-B/201/34 of the Indian
Penal Code.

The prosecution case, as per the First Information
Report, is that the marriage of the daughter of the informant was
solemnized with one Birendra Kumar about five years ago. It
has been alleged that after the marriage, the accused persons
started demanding one motorcycle, one golden chain, Rs. One
lakh in cash, by way of dowry and due to non-fulfillment of the
said demand, the daughter of the informant was killed by the



accused persons by administering poison to her.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case along with other family members and the allegation against him and others are general and omnibus in nature. He further submits that in course of enquiry, no material has come against the petitioner and the independent witnesses have stated that the petitioner was residing with her wife at Gujarat and was not present at the place of occurrence. He further submits that the petitioner is the brother-in-law (bhaisur) of the deceased and his wife, i.e. gotni of the deceased was granted anticipatory bail by co-ordinate Bench of this Court, vide order, dated 16.03.2021, passed in Criminal Misc. No. 37202 of 2020. He further submits that the father-in-law of the deceased has been granted bail by co-ordinate Bench of this Court, vide order, dated 18.08.2021, passed in Criminal Misc. No. 15172 of 2021. He next submit that the petitioner is in custody since 10.01.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the



materials available on record and the fact that the father-in-law and sister-in-law (gotani) of the deceased have been granted bail by this Court, the petitioner is the brother-in-law (Bhaisur) of the deceased, charge sheet has already been submitted and the petitioner is in custody since 10.01.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, Diler Yadav @ Diler Prasad, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Barh, Patna, in connection with Pandarak Police Station Case No. 22 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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