

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29702 of 2020

Arising Out of PS. Case No.-360 Year-2019 Thana- BISFI (PATAUNA) District- Madhubani

MAKALDEO YADAV Son of Nand Lal Yadav Resident of Village- Sohansh,
P.S.- Bisfi (Patauna O.P.), District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ravi Prakash, Advocate
		Mr.Gagandeo Yadav, Advocate
For the Opposite Party/s :		Mrs. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 02-02-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Sections 304(B)/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioner caused death of the daughter of the informant due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.01.2020 and has got no criminal antecedent. Charge sheet has been submitted in this



case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. From perusal of the case diary, it appears that the independent witnesses in paragraph Nos.10 and 26 of the case diary have stated that the deceased had taken celphos and committed suicide and in the said circumstances no offence under Section 304B of I.P.C. is made out. At best, it is a case for an offence under Section 306 of I.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. 1st, Benipatti, District Madhubani in connection with Bisfi (Patouna) P.S. case No.360 of 2019.

The F.S.L. report be returned at the earliest.

(Sudhir Singh, J)

Narendra/-

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