

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54075 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- IMAMGANJ District- Gaya

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1. GANESH YADAV S/O- Hira Yadav Resident of Village - Kosma, P.S. - Imamganj, District - Gaya.
 2. HIRA YADAV S/o- Jodha Yadav @ Youdha Yadav Resident of Village - Kosma, P.S. - Imamganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-12-2021 Heard learned counsel for the petitioners and the State.

The petitioners pray for grant of regular bail in a case registered for the offence punishable under sections 304B/34 of the Indian Penal Code.

As per the prosecution case, petitioners and their family members strangled to death the daughter of the informant due to non-fulfilment of demand of dowry.

Learned counsel for the petitioners submits that petitioner no.1 is husband of the deceased, whereas petitioner no.2 is her father in law. With respect to petitioner no.1, submission is that the daughter of the informant was of short temperament and on account of family feud she committed



suicide and he has been roped in the case as he is husband of the deceased, whereas with regard to petitioner no.2, submission is that he is 67 years old father in law of the deceased and lives separately and has no concern with the affairs of the deceased and her husband and the thrust of allegation is against her husband who is already in custody. Further, there is general and omnibus allegation against him and no specific overt act has been alleged against him.

Learned counsel for the State opposes the prayer for bail submitting that the petitioners are alleged to have caused death of the informant's daughter.

Considering the rival submissions of the parties, there is general and omnibus allegation against the petitioner no.2, who is father in law of the deceased and the period of custody, prayer for bail of the petitioner no. 2 is allowed. Let the petitioner no. 2, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st class, Sherghatti Gaya in Imamganj Police Station Case No. 28 of 2021.

As petitioner no.1 is alleged to have caused death of informant's daughter and he is husband of the victim, who died



within seven years of marriage in suspicious condition at her
matrimonial home, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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