

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40838 of 2020

Arising Out of PS. Case No.-122 Year-2018 Thana- KHUTAUNA District- Madhubani

RAMESH YADAV SON OF RAJAY YADAV @ RAJAI YADAV R/O
VILLAGE- JHANJH PATTI MARAR TOLA, P.S.- KHUTAUNA,
DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 09-06-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Khutouna P.S. Case No.
122 of 2018 corresponding to Sessions Trial No. 86 of 2020,
registered for the offence punishable under Section 304B/34 of
the Indian Penal Code.

This is a case of dowry death. Petitioner happens to be
the husband of deceased.

It is submitted on behalf of the petitioner that out of
five witnesses three witnesses have already been examined and
none of them have supported the prosecution case. Moreover,
PW-3 who is informant of the case has also denied the
allegation and deposed that her daughter died due to diarrhoea.



Petitioner is in custody since 03.01.2020 having clean antecedent, as stated in para 3 of the petition.

Considering the facts and circumstances of the case and the deposition of PW-3 who is non else than mother of deceased, the petitioner above-named, is directed to 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 learned Additional Sessions Judge IX, Madhubani in connection with Khutouna P.S. Case No. 122 of 2018 corresponding to Sessions Trial No. 86 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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