

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41092 of 2020

Arising Out of PS. Case No.-152 Year-2020 Thana- GOVINDGANJ District- East
Champaran

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NATHUNI YADAV Son of Late Tapasi Yadav Resident of Village -
Manguraha Areraj, P.S.- Govindganj, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Shruti Sinha

For the Opposite Party/s : Mr. Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 21-09-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner, who is father-in-law of the

deceased seeks bail in anticipation of his arrest in connection

with Govindganj P.S. Case No. 152/2020 instituted for the

offences under Sections 304(b)/341/323/504/506/34 of the

Indian Penal Code.

The informant of this case is the brother of the

deceased who is said to have been informed by his cousin

that the deceased has been killed and her dead body is being

taken for cremation. The informant rushed to the

matrimonial home of the deceased but he found the



deceased on the funeral pyre.

The learned counsel for the petitioner has submitted that the petitioner is 70 years old and he was practically never consulted by his son or his wife (deceased). The witnesses during the course of investigation have not supported the factum of demand of dowry and consequent torture of the deceased. In fact, even the father-in-law of the cousin of the informant who actually told him about the occurrence has also denied the participation of the petitioner or others in the offence.

The husband of the deceased is in custody.

Considering these aspects of the matter, case diary was called for vide order dated 23.07.2021 and the petitioner was granted provisional bail.

From perusal of the case diary also, it appears that many persons who had knowledge about the affairs of the family members of the petitioner and the deceased, have denied such accusation.

Regard being had to the afore-stated facts, the petitioner, above named, is directed to be released on bail,



in the event of his arrest or surrender before the court below
within a period of eight weeks from the date of receipt /
production of a copy of this order, on furnishing bail bonds
of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of
the like amount each to the satisfaction of learned Chief
Judicial Magistrate, Motihari, in connection with Govindganj
P.S. Case No. 152/2020 , subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure

(Ashutosh Kumar, J)

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