

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9135 of 2022

Arising Out of PS. Case No.-70 Year-2020 Thana- SANGRAMPUR District- Munger

DAYANAND YADAV Son of Prasad Yadav Resident of Village- Koraji,
P.S.- Sangrampur, District- Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Adv
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

Petitioner seeks bail in a case registered for the offence punishable under Section 304(B)/34 of IPC.

Allegation against the petitioner is of committing torture and caused death of the victim due to non-fulfillment of demand of dowry.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case on the ground that the petitioner is husband of the deceased. He further submits that in fact the



deceased has died due to illness and the petitioner had taken proper care and it appears from the FIR itself that in presence of the informant the deceased had died in hospital and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 17.09.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, be released on bail **after framing of the charges** on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sangrampur P.S. Case No.70 of 2020, with the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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



And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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