

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16935 of 2022

Arising Out of PS. Case No.-60 Year-2020 Thana- TELHARA District- Nalanda

Raj Ballabh Yadav @ Raj Ballam Yadav, Son of Late Chandu Yadav, Resident
of village - Chhajjupur, P.S.- Telhara, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachchidanand Choudhary, Advocate
For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 18-05-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with S.Tr.
No.263 of 2020 arising out of Telhara P.S. Case No.60 of 2020
registered for the offence punishable under Section 304B/34 of
the Indian Penal Code.

The petitioner's prayer for bail was earlier rejected
in Cr.Misc. No.7404 of 2021 under order dated 20.07.2021.

The allegation against the petitioner is that he along
with his son and wife has been demanding dowry from the
informant's daughter.

Counsel for the petitioner submits that the petitioner
is the father-in-law of the victim and there are series of FIRs.
prior to alleged killing of the informant' daughter from both



sides, from which it is evident that some dispute was subsisting between the parties and implication is based on extraneous considerations. The petitioner is stated to be in custody since 19.05.2020 and has no criminal antecedents.

The trial court has sent a report regarding the stage of the trial as obtaining on 07.05.2022 and as per the report, out of six prosecution witnesses, only one witness has been examined till date.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case as also having regard to the period of custody and that there is no progress at the trial and the nature of allegations, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Hilsa, Nalanda, in connection with S.Tr. No.263 of 2020 arising out of Telhara P.S. Case No.60 of 2020, subject to the following conditions:



(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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