

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29586 of 2021

Arising Out of PS. Case No.-164 Year-2020 Thana- NADI P.S. District- Patna

Vikash Kumar Yadav Son Of Binod Kumar Singh @ Binod Prasad R/O
Village- Marchi, P.S.- Bypass, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 24-02-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Nadi
P.S.Case No.164 of 2020 registered for the offence under
Sections 304(B),120B and 34 of the Indian Penal Code.

The prosecution case, in short, is that the informant,
namely, Punam Devi, alleged that on 14.10.2020 her younger
daughter namely Muskan Kumar informed on phone that her
elder daughter, namely, Pooja Kumari (deceased) has been
murdered by strangulating by Dupatta. It is further alleged that
soon after getting information, she alongwith her family
members reached to the house of her daughter Pooja Kumari
then saw that her dead body is lying in her room and there was
black spot on her neck which shows that she was murdered by



strangulating by her husband Vikash Kumar, father-in-law Binod Prasad and mother-in-law, Mugli Devi, for dowry after hatching the conspiracy. It is further alleged that after some time of marriage, her daughter was physically and mentally tortured for dowry by her husband, father-in-law and mother-in-law. It is further alleged that one month ago, demanded Rs.50,000/- as dowry which was denied by the informant. There was birthday of informant's Nati (Grandson) on 12.10.2020 and about Rs.15,000/- was spent which was demanded from her daughter (deceased) but denied and due to that Vikash Kumar, Binod Prasad and Mugli Devi, together murdered her daughter by strangulating.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case only on the basis of suspicion. In fact the petitioner is husband of the deceased. He further submits that during investigation, except confessional statement of the petitioner, nothing has come against the petitioner. He further submits that there is no eye witness of the alleged occurrence and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 22.10.2020.



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

Considering the facts and circumstances of the case, 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 A.C.J.M.-VI, Patna City in connection with Nadi P.S.Case No.164 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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