

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47099 of 2021

Arising Out of PS. Case No.-36 Year-2021 Thana- KONCH District- Gaya

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KAMLESH YADAV @ KAMLESH PRABHAKAR Son of Late Devnandan
Yadav Resident of Village- Usash Deora, P.S.- Konch, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shailesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP
For the Informant	:	Mr. Aryan Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-03-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 304B, 201 and 34 of the Indian Penal Code.

As per the prosecution case, the accused persons including the petitioner herein who happens to be the father-in-law of the deceased are stated to have tortured the daughter of the informant for non-fulfillment of the demand of dowry. It is stated that she was beaten up, abused and threatened and ultimately she was burnt to death.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only for the reason that he happens to be the father-in-law of the deceased. The allegations for demand of dowry are false and concocted. The allegations are general and omnibus in nature. The mother-in-law of



the deceased has been enlarged on bail. The husband of the deceased is in custody since 13.9.2020. The petitioner is in custody since 11.4.2021 and has no criminal antecedent. Investigation in the case has concluded.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that there is direct allegation in the FIR against the petitioner who happens to be the father-in-law of the deceased. He was regularly torturing the deceased and he was seen burning the body along with the other accused persons. The mother-in-law of the deceased has been enlarged on bail on the ground of being a lady.

Having heard learned counsel for the parties and taking into consideration the general and omnibus allegations in the FIR together with the petitioner having remained in custody for over 11 months, the petitioner is directed to be enlarged on bail in connection with Konch P.S. Case no. 36 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya.

(Partha Sarthy, J)

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