

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47577 of 2021

Arising Out of PS. Case No.-374 Year-2020 Thana- GAYA KOTWALI District- Gaya

SACHIN YADAV S/o- Amrit Yadav @ Amrit Prasad Yadav R/o Gola
Bigicha- Garba, P.S.- Kotwali, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Krishna Gupta
For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-02-2022 Heard the parties through virtual court proceedings.

Petitioner seeks regular bail in connection with Kotwali P.S. Case No. 374 of 2020 registered for the offence under Sections 302 / 34 of the I.P.C., charge sheet submitted under Section 306 / 34 of the I.P.C.

As per the First Information Report marriage of the daughter of the informant was solemnized in the year 2008 with one Raju @ Gautam and the accused persons started demanding money for the purposes of starting business by the co-accused Raju @ Gautam. It has been further alleged that due to non fulfillment of the demand all the accused persons including the petitioner tortured physically and mentally to the deceased and on 6 / 10 / 2020 the informant got information that the accused persons have killed his daughter after pressing her neck.



Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case with ulterior motive. He further submits that from perusal of the First Information Report it would be evident that there is no specific allegation against the petitioner of demanding dowry or money for starting business and marriage was solemnized about 14 years ago. He referring to Annexure- 2 to the bail petition submits that 164 Cr.P.C. statement of the minor son of the deceased was recorded within three days from the date of occurrence in which he has stated that the deceased had committed suicide by hanging herself from the fan. Learned counsel next submits that petitioner is in custody since 21st June 2021 and charge sheet has been submitted under Section 306 / 34 of the IPC not under Section 302 of the IPC.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that there is no specific allegation against the petitioner regarding demand of money / torture, the statement under Section 164 Cr.P.C. of the son of the deceased, the fact that petitioner is the brother- in- law of the deceased, he is in custody since 21 / 06 / 2021 and charge sheet has already been



submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya in connection with Kotwali P.S. Case No.374 of 2020.

(Anil Kumar Sinha, J)

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