

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49944 of 2021

Arising Out of PS. Case No.-448 Year-2020 Thana- GARKHA District- Saran

HAJARI PRASAD YADAV @ HAJARI PRASAD RAY S/o Late Butai Ray
R/o village- Alony, P.O. and P.S.- Garkha, District- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 05-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Garkha
P.S. Case No. 448/2020 registered for the offence punishable
under Sections 304-B/34 of the Indian Penal Code and Sections
3/4 of Dowry Prohibition Act.

The prosecution story, as per the First Information
Report, is that the marriage of the sister of the informant was
solemnized with the son of the petitioner, namely, Sanjit Ray
about six years back and after marriage all the accused persons
started demanding dowry and due to non-fulfillment of the said
demand, the deceased has been killed in her matrimonial home.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged



and the allegation is general and omnibus in nature against all the family members. Learned counsel further submits that charge sheet was submitted against the co-accused i.e. husband of the deceased earlier and the investigation was continuing against the petitioner and other family members, the petitioner surrendered on 15.7.2021 whereas the trial of the co-accused i.e. son of the petitioner proceeded and he has been acquitted by the trial court vide order dated 28.3.2022. The petitioner is in custody since 15.7.2021 and charge sheet has already been submitted. He next submits that the petitioner is a retired army personnel and there is no likelihood that he will abscond or tamper with the evidence.

Regards being had to the submissions made by the parties and taking into consideration the materials on record, the fact that the allegation against the petitioner is general and omnibus in nature, other co-accused i.e. husband of the deceased has been acquitted by the court below and there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/-



(Twenty thousand) with two sureties of the like amount each to the satisfaction of Shri Chandrabose Kumar Singh, learned Judicial Magistrate, 1st Class, Saran at Chapra, in connection with Garkha P.S. Case No. 448/2020.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

