

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53185 of 2021

Arising Out of PS. Case No.-138 Year-2020 Thana- HULASGANJ District- Jehanabad

VINOD YADAV @ BINOD YADAV S/o Ram Ashray Yadav Resident of
Village- Kokarsa, Post Office- Hulasganj, P.S.- Hulasganj, District-
Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 30-03-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 201, 498A and 34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

As per the prosecution case, the accused petitioner who happens to be the husband of the deceased is stated to have assaulted the daughter of the informant for non fulfillment of the demand of dowry and ultimately she was done to death.

It is submitted by learned counsel for the petitioner that the the petitioner has been falsely implicated in the case only for the reason that he happens to be the husband of the deceased. The informant is not an eye witness of the occurrence.



Referring to the order of the learned trial court rejecting the application for bail of the petitioner, it is submitted that the allegations in the FIR was found to be incorrect and chargesheet was submitted under sections 306, 201 and 498A of the Indian Penal Code and on perusal of the case diary cognizance has also been taken under sections 306, 201 and 498A of the Indian Penal Code. The petitioner is in custody since 22.3.2021 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having remained in custody for 1 year and cognizance having been taken under sections 306, 201 and 498A of the IPC, the petitioner is directed to be enlarged on bail in connection with Hulasganj P.S. Case no. 138 of 2020 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 Judicial Magistrate 1st Class, Jehanabad.

(Partha Sarthy, J)

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