

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53784 of 2021

Arising Out of PS. Case No.-194 Year-2021 Thana- GHORASAHAN District- East
Champaran

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MUNIF PRASAD YADAV SON OF SAJAWAL RAY R/O VILLAGE-
JHAJHARA, P.S.- JITNA, DIST.- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Ms. Renuka Ratnakar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 01-04-2022 Heard learned counsel for the parties through video

conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 304B, 120B
and 34 of the Indian Penal Code.

As per the prosecution case, the sister of the
informant who was married to Brahmdeo Prasad Yadav was
tortured by the accused persons for non-fulfillment of demand
of dowry by way of a gold chain and a bullet motorcycle. The
petitioner is also named amongst the accused.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. From
perusal of the F.I.R. itself, it would be evident that the false
implication of the petitioner is only for the reason of his being
the brother-in-law (sister's husband) of the husband of the



deceased. The allegations are general and omnibus in nature. Further from the post-mortem report (Annexure-2), it is submitted that the cause of death of the deceased in the opinion of the doctor is said to be road traffic accident. The petitioner is in custody since 24.5.2021 and has no criminal antecedent. Investigation in the case has concluded.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the general and omnibus allegation against the petitioner who happens to be the brother-in-law of the husband of the deceased, his having remained in custody for 10 months, the contents of the post-mortem report and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Ghorasahan (Lakhaura) P.S. Case no.194 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 Sub Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran.

(Partha Sarthy, J)

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