

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53422 of 2021

Arising Out of PS. Case No.-34 Year-2021 Thana- JAIPUR District- Banka

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Tulo Alias Tuleswar Yadav Son Of Basudeo Yadav Resident Of Village-
Modiyadih, P.S- Saraiyahat, Dist- Dumka (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Adv.

For the Opposite Party/s : Mr. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

6 12-10-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Jaipur P.S. Case No. 34 of 2021 lodged under Sections 304 B,
201 & 120 B of the I.P.C.

As per the prosecution case, the informant's daughter
was alleged to be physically and mentally tortured for dowry.
Allegation that *panchayti* was requested, and further allegation
is that the petitioner and family members of the petitioner have
committed murder of the informant's daughter and her 9 months
old child and concealed their dead body in the well.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. He further submits that it is not a case of dowry death rather it is a case of suicide by a lady with her child by jumping into well. He further submits that his stand is supported by the post-mortem report as water was found in the stomach and chest of the deceased. He further submits that charge has already been framed in this case. 6 witnesses out of 3 have already been examined but no cogent material has come from their statements. He further submits that petitioner is the husband and he is in custody since 31.05.2021 having clean antecedent.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Banka in Jaipur P.S. Case No. 34 of 2021 in connection with Jaipur P.S. Case No. 34 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date

fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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