

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56696 of 2021**

Arising Out of PS. Case No.-200 Year-2009 Thana- BODHGAYA District- Gaya

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SAHDEO YADAV SON OF LATE MOHAN YADAV R/O VILLAGE-
NEWTAPUR, P.S.- BODHGAYA, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 31-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Sessions Trial No. 120 of 2021/52 of 2021 arising out of Bodhgaya P.S. Case No. 200 of 2009 registered for the offence under Sections 304(B), 201 and 34 of the Indian Penal Code.

The daughter of the informant is subjected to assault and she has been done to death on account of non-fulfillment of demand of dowry.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and



has falsely been implicated in this case. In fact, the petitioner happens to be father-in-law of the deceased and he has no concern with the alleged occurrence. Neither the petitioner has demanded any dowry nor he has assaulted the deceased in any manner. No specific allegation of assault is attributed to the petitioner rather general and omnibus allegation has been leveled against him which is evident from the F.I.R. itself. Moreover, the husband of the deceased has been granted bail by a co-ordinate Bench of this Court vide order dated 22.07.2010 passed in Cr. Misc. No. 17154 of 2010 and a statement to that effect has also been made in paragraphs-10 and 13 of the petition. The petitioner, who is an old man, is rotting in judicial custody since 18.08.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge- X, Gaya in connection with Sessions Trial No. 120 of 2021/52 of 2021 arising out of Bodhgaya P.S. Case No. 200 of 2009 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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