

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60135 of 2021**

Arising Out of PS. Case No.-172 Year-2021 Thana- GHOSI District- Jehanabad

Chitawan Yadav Son Of Late Lakhichand Yadav Resident Of Village - Nirpur
(Dhamapur), P.S.- Ghosi In The District Of Jehanabad.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 21-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Ghosi P.
S. Case No.172 of 2021, instituted for the offences under
Section 304(B)/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 12.08.2021, he is a person with
clean antecedent, charge-sheet has been submitted in the case
and is aged about 70 years.

The learned counsel for the petitioner submits that the
informant alleges that his daughter (deceased) was married to
Kamta Yadav in 2014 and out of the wedlock, two daughters
were born. The petitioner and the accused persons were
demanding Rs.2,00,000/- by way of dowry as they were not



happy with the female child. It is further alleged that when the informant visited the place of occurrence on 07.04.2021, he did not find his daughter and came to know that the accused persons including the petitioner killed her and cremated her body.

The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the marriage was performed in the Year 2014 and the occurrence took place in 2021, i.e. nearly seven years of marriage. The learned counsel further submits that the petitioner is the father-in-law of the deceased and is an old man and is separate in mess and property from his son. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the case merely for the reason that he is father of Kamta Yadav. It is further submitted that the allegation is based on suspicion that all the accused persons killed the deceased and as far as demand of dowry is concerned, it is submitted that it does not stand reason that even after seven years of marriage when two children were born, the old man would be demanding dowry.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody,



he is a person with clean antecedent, charge-sheet has been submitted in the case, is aged about 70 years and taking into consideration the submissions made by the learned counsel for the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Ghosi P. S. Case No.172 of 2021.

The application stands allowed.

However, the Superintendent of Police, Jehanabad is directed to ensure that Kamta Yadav is arrested.

Let a copy of this order be communicated to the Superintendent of Police, Jehanabad for needful.

(Satyavrat Verma, J)

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