

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51420 of 2022

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

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BRAHMDEV PRASAD @ BRAHMDEV PRASAD YADAV

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Ms. Dr. Indiar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-12-2022 The matter has been taken-up through video
conferencing.

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

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Sections 304(B),
120(B) and 34 of the Indian Penal Code.

The prosecution case, in short, is that 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.

Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is the husband of the sister of the informant namely, Puja Kumari (deceased), who died in a road accident while she was going to her brother's wedding on motorcycle with the informant and on the way, she met with an accident(got hit by train) as a result of which she sustained fatal injuries and died in course of the treatment. It is submitted that from the postmortem report (Annexure-2), the cause of death of the deceased in the opinion of the doctor is said to be road traffic accident. It is further submitted that other co-accused persons have been granted bail *vide* order dated 25.02.2022, passed in Criminal Miscellaneous No. 51447 of 2021 and *vide* order dated 01.04.2022, passed in Criminal Miscellaneous No. 53784 of 2021 by a Co-ordinate Bench of this Hon'ble Court. Further, it is submitted that the petitioner is in custody since 31.05.2022, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned A.P.P for the State opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case, the



above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran, in connection with Ghorashan P.S. Case No. 194 of 2021.

(Khatim Reza, J)

sankalp/-

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