

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65809 of 2021**

Arising Out of PS. Case No.-104 Year-2021 Thana- CHANDAN District- Banka

SUKHDEV YADAV SON OF LATE CHETAN YADAV RESIDENT OF
VILLAGE- BHORSAR, POLICE STATION- CHANDAN ANANDPUR O P,
DISTRICT - BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Madhuri Lata

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

3 30-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with
Chandan (Anandpur) P.S. Case No. 104 of 2021 registered for
the offences punishable under Sections 304(B)/34 of the Indian
Penal Code.

As per prosecution case, the petitioner and others
committed murder of informant's daughter by hanging due to
non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that
petitioner is in custody since 06.07.2021. Petitioner bears no



criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that petitioner is father in law and he is living separately from deceased and her husband. There is general and omnibus allegation against the present petitioner. Nothing specific is against the present petitioner. Petitioner being father in law has been implicated in the present case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, petitioner is living separately from the deceased and her husband, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate/successor court, Banka in connection with Chandan (Anandpur) P.S. Case No. 104 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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