

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6539 of 2023

Arising Out of PS. Case No.-123 Year-2022 Thana- FESHAR District- Aurangabad

BIRENDRA YADAV @ MUNNA YADAV Son of Vijay Yadav @ Vijay
Singh Yadav R/v- Parasi, P.S.- Fesar, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mukul Kumari, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-05-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Fesar
P. S. Case No. 123 of 2022 registered for the offence under
Sections 304-B/34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 22.11.2022.

The allegation against the petitioner is to cause death
of daughter of informant, along with other co-accused
persons/family members, due to non-fulfillment of demand of
dowry as raised for cash of Rs. 5 Lacs.

Learned counsel appearing on behalf of the petitioner
submitted that implication of petitioner is only for the reason
that he is the elder brother of husband of the deceased, against
whom thrust of allegation is available. It is submitted that



petitioner being brother-in-law living separately, having no connection with daily and domestic affairs with the deceased and her husband. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is completed, for which, charge-sheet has submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

In view of the facts and circumstances as mentioned above, as petitioner appears brother-in-law of the deceased, living separately, where petitioner is in custody since 22.11.2022 coupled with the fact that charge-sheet has already submitted, let the petitioner, above named, is directed to be released on bail in connection with Fesar P. S. Case No. 123 of 2022 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, Aurangabad/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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