

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7146 of 2023

Arising Out of PS. Case No.-188 Year-2021 Thana- IMAMGANJ District- Gaya

SUCHIT YADAV S/O LATE RAMDASI YADAV R/v- Mainka, P.S.-
Imamganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan, Advocate

For the Opposite Party/s : Mrs.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 16-08-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 05.01.2022 in connection with S.Tr.No.290 of 2022 arising out of Imamganj P.S. Case No. 188 of 2021, F.I.R. dated 28.11.2021 registered for the offence punishable under Sections 304(B), 34 of IPC.

3. Allegation against the petitioner is that he alongwith other co-accused persons have in furtherance of their common intention committed the dowry death of the daughter of the informant.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground



that the petitioner is husband of the deceased. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that from bare perusal of the FIR it appears that there is general and omnibus allegation against all the accused persons including the petitioner. There is no specific allegation of any assault or overt-act attributed against the petitioner and the petitioner has never demanded the dowry from the family members of the deceased and it has come during investigation that the deceased had committed suicide herself and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 05.01.2022.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the deceased had died within two years of her marriage but fairly submits that it has come during investigation that the deceased had committed suicide herself.

6. Considering the aforesaid facts and period of custody, let the petitioner, above named, 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-V, Gaya in connection with S.Tr.No.290 of 2022 arising out of Imamganj P.S. Case No. 188 of 2021, with the following conditions:-

(I) 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 cancelled by the Court below.

(II) 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.

(III) 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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