

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26506 of 2023

Arising Out of PS. Case No.-1189 Year-2022 Thana- JAHANABAD District- Jehanabad

Kapil Yadav S/O Late Rambalak Yadav Resident of Village- Dagra Milkipar,
P.S.- Sikariya, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Soni Kumari, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, App, 100,

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Jehanabad
(Sikariya O.P.) P.S. Case No. 1189 of 2022 dated 17.12.2022,
instituted for the offence punishable under Sections 341, 323, 307,
326, 498(A)/34, 304(B) of the Indian Penal Code and Section 3/4 of
Dowry Prohibition Act.

3. The prosecution case, in short, is that the informant
(deceased) has been married to petitioner's son and soon after
marriage, her in-laws started to assault her for dowry demand. It is
further alleged that on 16.12.2022 at about 07.30 hrs, her husband
Guddu Kumar set the deceased informant on fire by pouring
kerosene oil on her body in a room and closed the door from outside,
and after a week from the day of the occurrence, she died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this case.
Learned counsel for the petitioner submits that deceased herself gave



Fard Byan in P.M.C.H, in which she specially alleged against her husband. Learned counsel for the petitioner submits that the petitioner is the father-in-law of the deceased. Learned counsel for the petitioner submits that the petitioner had taken the deceased to P.M.C.H. for her treatment where he was arrested by the police. Learned counsel for the petitioner submits that F.I.R. has been lodged on 17.12.2022 while the incident took place on 16.12.2022. Learned counsel for the petitioner further submits that as per the statement of deceased, the entire allegation is against her husband. Lastly, it has been submitted that the petitioner is in custody since 18.12.2022 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jehanabad, in Jehanabad (Sikariya O.P.) P.S. Case No. 1189 of 2022.

(Khatim Reza, J)

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