

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38453 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- GAMAHARIYA District- Madhepura

Dr. Pramod Yadav @ Pramod Yadav Son Of Mahanthi Yadav Resident Of
Village - Gorhiyari, P.S. - Gamhariya, Distt. - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Advocate
For the Opposite Party/s : Ms.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Gamhariya P.S. Case No. 45 of 2023 registered for the offence
under Sections 328, 302, 120-B and 304-B of the Indian Penal
Code.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 04.04.2023.

4. The allegation against the petitioner is to commit
murder of the daughter of the informant alongwith other
matrimonial family members/co-accused persons, where
allegation of mental and physical torture are available against
matrimonial members of deceased daughter of informant.

5. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is not even distantly related with the husband of deceased and as such his implication with Section 304-B of the Indian Penal Code is not convincing on its face. It is submitted that petitioner is running a medical shop near the house of the matrimonial house of the deceased and out of said suspicion, he was implicated with the present case. While travelling over the argument it is submitted that petitioner having no control over the daily and domestic affairs with the deceased and her husband, as he is living separately. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above as petitioner is not even a member of the matrimonial family of the deceased, rather his implication appears on the ground of suspicion being owner of the medical shop coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 04.04.2023, accordingly, petitioner, above named, is directed to be released



on bail in connection with Gamhariya P.S. Case No. 45 of 2023
on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)
with two sureties of the like amount each to the satisfaction of
Additional Chief Judicial Magistrate-III, Madhepura/concerned
court, subject to the conditions as mentioned under Section
437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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