

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44027 of 2023

Arising Out of PS. Case No.-419 Year-2022 Thana- CHAKAND District- Gaya

Rajesh Yadav S/O Bhagwat Yadav R/O Village- Rasalpur, Ps. Chakand, Dist. Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 04-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304(B)/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner is alleged to have committed murder of his wife/daughter of the informant due to non-fulfillment of dowry demand. It is also submitted that the marriage of deceased was solemnized about two years ago to the alleged occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is husband of the deceased due to which he has falsely been implicated in this case. The FIR was registered only on the



basis of suspicion and no consistent evidence has come against the petitioner regarding commission of the offence. According to the postmortem report, doctor has not ascertained the cause of death of the deceased. It is further submitted that F.S.L. report also does not corroborate the prosecution. The petitioner has got no criminal antecedent as stated in para-3 of the bail petitioner, Moreover, he is languishing in judicial custody since 21.3.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge, if not framed**, in connection with Chakand P.S. Case No. 419 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gaya.

(Sunil Kumar Panwar, J)

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