

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67653 of 2023

Arising Out of PS. Case No.-43 Year-2019 Thana- BARSOI District- Katihar

Ashish Yadav Son Of Sharwan Kumar Yadav R/O Vill - Fulpur, P.S. -
Choubeypur, Distt. - Varanashi (u.p)

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr.Rina Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P for the State as well as the learned counsel for the
Informant.

2. The petitioner has preferred this application for
grant of regular bail in connection with Sessions Trial No. 424
of 2023 arising out of Barsoi P.S. Case No. 43 of 2019 dated
02.03.2019 registered for the offences punishable under
Sections 498A and 306 of the Indian Penal Code and Section 3
and 4 of the D.P Act.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have tortured the sister of the
informant for non-fulfillment of demand of dowry. It is further
alleged that a compromise was done between the parties in



which it was decided that the victim would not be tortured again. Subsequently, the victim came to her parental house and she committed suicide on 27.02.2019.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The petitioner is a husband of the deceased and he neither demanded any dowry nor tortured the sister of the informant. Learned counsel has further submitted that the occurrence took place at the parental home of the deceased. The petitioner never provoked or forced his wife to commit suicide. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 02.05.2023.

5. Learned A.P.P. for the State as well as the learned counsel for the Informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Sessions Trial No. 424 of



2023 arising out of Barsoi P.S. Case No. 43 of 2019, with the condition :-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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