

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65661 of 2022

Arising Out of PS. Case No.-256 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

Chandan Yadav @ Chandan Kumar Son of Bhirung, Yadav Resident of
Village - Morath, P.S.- Udwant Nagar, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 498 (A), 304(B)/34 of the Indian Penal Code.

According to prosecution case the sister of informant married in the year 2017 with co-accused Ranjan Yadav with Hindu customs. It is further alleged that after some days of the co-accused Ranjan Yadav demand of Rs. 50,000/- to the sister of informant, then the sister of informant refused that the brother of informant will not fulfill the demand of dowry. It is further alleged that due to which reason the dispute made between sister of informant with co-accused Ranjan Yadav. Thereafter, all co-accused persons including the petitioner began to beat to the to



the sister of informant. It is further alleged that on 08.08.2006 at about 4 P.M. all co-accused persons including the petitioner beaten to the sister of informant by Rasi, due to which the sister of informant fell down and she will unconscious position and after make hulla some persons came there. It is further alleged that the witnesses inform the informant went there. Then all persons fled away from place of occurrence after left her sister. It is further alleged that during treatment the sister of informant died on 13.06.2022 in Hospital.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that the petitioner is brother-in-law of the deceased and he is living separately from the deceased. He further submits that it appears from the F.I.R. that there is no specific allegation of any assault or over act against the petitioner. There is general and omnibus allegation against all the accused persons including the petitioner. Further submits that no witness has supported the case of the prosecution and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 28.07.2022.



The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Udwant Nagar P.S. Case No. 256 of 2022, subject to the following conditions:-

1. 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. 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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