

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63962 of 2022

Arising Out of PS. Case No.-94 Year-2022 Thana- SONBERSA District- Saharsa

Jyoti Kumar Yadav @ Jyotis Yadav Son Of Chandra Kishore Yadav Resident
Of Village - Parbaha, Ward No.- 10, P.S.- Sonbarsa Raj, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Binod Kumar Sinha
For the Opposite Party/s :	Mr.Dashrath Mehta
	Mr. Shivnandan Bharti

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-01-2023 Heard learned counsel for the petitioner, informant
and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 328, 302/34
of the Indian Penal Code.

As per the prosecution case, all the FIR named
accused persons, including the petitioner, killed the sister of the
informant by administering her poison due to non-fulfillment of
demand of dowry.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He submits that the petitioner is the Dewar of the
deceased. He submits that there is no specific overt act against
the petitioner. He submits that I.O. submitted charge-sheet under



Section 498A, 306/34 of the IPC against the petitioner and others including the husband of the deceased. The doctor has not found any injury on the body of the deceased and the viscera report has been sent. He submits that similarly situated co-accused has already been granted bail by a Bench of this Court vide order dated 06.12.2022 passed in Cr. Misc. No. 46199 of 2022. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sonbarsa Raj P.S. Case No. 94 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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