

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70641 of 2022

Arising Out of PS. Case No.-462 Year-2022 Thana- BAGHA District- West Champaran

Guddu Yadav S/O Nagendra Yadav Resident of village- Goiti, P.S.- Bagaha
(Pathkhauli), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate
		Mr. Arvind Kumar, Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, APP
For the Informant	:	Mr. Prithvi Nath Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 12-05-2023 Heard Mr. Y.C. Verma, learned senior counsel for the

petitioner, learned counsel appearing on behalf of the informant

as well as learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
02.07.2022 in connection with Bagaha (Pathkhauli) P.S. Case
No. 462 of 2022, F.I.R. dated 25.06.2022 for the offences
punishable under Sections 304(B)/34 of the Indian Penal Code.

According to prosecution case, all the accused persons
including the petitioner tortured the daughter of the informant
mentally and physically due to non-fulfillment of demand of



dowry and killed her.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that the petitioner is the husband of the deceased. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that in fact, it has come during investigation in paragraph 9, 10 and 11 of the case diary that the independent witness has stated that the deceased has committed suicide herself. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 02.07.2022.

The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have 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 Additional Chief Judicial Magistrate 1st Bagaha, West Champaran in connection with Bagaha (Pathkhauri) P.S. Case



No. 462 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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