

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10864 of 2024

Arising Out of PS. Case No.-236 Year-2022 Thana- ROSHANGANJ District- Gaya

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Basant Kumar @ Basant Yadav S/o- Birendra Yadav Village- Sondaha Ps-
banke Bazar Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 18-04-2024 Heard the learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in a case registered for the offence under Sections 304B/34 of the Indian Penal Code.

3. Petitioner is the husband of the victim. From reading of the F.I.R., it appears that father of the victim has taken the victim to the hospital and while she was being taken to a higher center at Varanasi she passed away. It has been alleged that she was assaulted by the petitioner and his family members for demand of dowry.

4. Learned senior counsel for the petitioner submits that from the post mortem report it will appear that the ante mortem injuries are not such which will result into the death of the victim. It is an admitted position that the family of the



victim were informed and, thereafter, they taken the victim for treatment. Petitioner is in custody since 04.09.2023..

5. Learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances, this application for regular bail is allowed.

7. Let the petitioner, above named, be released on bail *after framing of charge if the charge has not already been framed* on furnishing bail bond of Rs. 10,000/- (Ten Thousand)with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sherghati, Gaya/concerned Court below in connection with Roushanganj (Banke Bazar) P.S. Case No. 236 of 2022 subject to condition that:-

7(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on absence on two consecutive dates without sufficient reason, the bail bond shall be cancelled by the Court below.

8. This application stands allowed.

(Sandeep Kumar, J)

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