

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24989 of 2024

Arising Out of PS. Case No.-193 Year-2022 Thana- YADOPUR District- Gopalganj

Sipahi Yadav. Male aged about 28 years, Son of Ramagya Yadav, Resident of Gamharia, P.S. - Yadavpur, District – Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Yadavpur P.S. Case No. 193 of 2022 instituted for the offences punishable under Sections 304(B)/ 34 of the Indian Penal Code and ³/₄ of the Dowry Prohibition Act.

3. As per the prosecution case, the allegation against the petitioner and other FIR named accused persons is of non-fulfillment of dowry demand and has committed murder of the informant's sister within five years of marriage in her matrimonial home.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to dirty village politics.



He further submits that petitioner is separated patidar (neighbour) in mess and house and police has submitted chargesheet against the petitioner. Petitioner has got no criminal antecedent as stated in para 3 of the petition and is in custody since 13.01.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned VIth Additional Sessions Judge, Gopalganj dated 20.02.2024, it appears that on the basis of fardbeyan of the informant namely Jitendra Kumar Yadav, the FIR has been registered under Sections 304(B)/34 of the Indian Penal Code against six accused persons including the petitioner. From perusal of the FIR, it also appears that the petitioner has not the family members of the deceased husband, as submitted by learned counsel for the petitioner. From perusal of para-7 of the bail petition and also the impugned order, it appears that father-in-law of the deceased has already been granted bail by the learned trial Court in B.P. No. 1262 of 2022 vide order dated 15.02.2023 and Usha Devi, Sister-in-law of the deceased has also been granted bail in Cr. Misc. No. 44674 of 2023, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing



bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Gopalganj in connection with Yadavpur P.S. Case No. 193 of 2022.

(Ramesh Chand Malviya, J)

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