

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24521 of 2024

Arising Out of PS. Case No.-303 Year-2023 Thana- HARNAUT District- Nalanda

Pintu Yadav S/o Jogi Yadav R/o vill - Alipur, P.S. - Harnaut, Distt. - Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 10-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Harnaut P.S. Case No. 303 of 2023, registered for the offences under Sections 494, 304(B) and 201/34 of the Indian Penal Code.

03. As per prosecution case, daughter of the informant was married with the petitioner and allegation against him is that he along with other co-accused persons used to demand dowry and on non-fulfillment of dowry demand, they killed the daughter of the informant and disposed of the dead body.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The allegation of torture and dowry demand is not believable since the petitioner was having cordial relationship with his wife. The wife of the petitioner was seriously ill and while undergoing treatment, she died. Thereafter, the petitioner and his other family members cremated the dead body. The witnesses examined during investigation have also stated that the petitioner marrying for the second time prior to death of the deceased though the marriage was performed with the consent of the deceased, who was not able to give birth to any child. Learned counsel further submits that the informant after lodging this case, submitted an application before the court of learned CJM wherein she has admitted that her daughter was ill and died due to illness and she filed the case under some wrong impression. Learned counsel further submits that Co-accused person has been granted anticipatory bail by this Court vide order dated 21.03.2024 passed in Criminal Misc. No. 86001 of 2023. The petitioner is in custody since 25.07.2023 and charge-sheet has been submitted. The petitioner has got no criminal history.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that the petitioner is husband and there is specific allegation against him for causing death of his



wife.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubt over exact cause of death of the daughter of the informant and further considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda at Bihar Sharif/court concerned in connection with Harnaut P.S. Case No. 303 of 2023, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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