

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32814 of 2024**

Arising Out of PS. Case No.-170 Year-2023 Thana- HASPURA District- Aurangabad

Subhash Yadav @ Subhash Kumar @ Shubahsh Yadav S/O Rajendra Yadav
VILLAGE AHIYARPUR TOLA, JHAM BIGHA, P.S.- HASPURA
DISTRICT AURANGABAD (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar, BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 25-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in Sessions Trial No. 748/23-588/24 arising out of Haspura P.S. Case No. 170 of 2023 dated 02.06.2023 registered for the offences punishable u/ss 302, 120B, 379, 427, 304B of the Indian Penal Code and u/s 3/4 of the Dowry Prohibition Act.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have committed murder of the informant's daughter due to non-fulfillment of demand of dowry.

5. Learned counsel for the petitioner has submitted



that the petitioner has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The petitioner has neither demanded any dowry nor tortured the informant's daughter. It is further submitted that the petitioner is the husband of the deceased. The co-accused has already been granted bail by this court *vide* order dated 06.12.2023 passed in Cr. Misc. No. 74373 of 2023. It is further submitted that as per the postmortem report of the deceased, no injury was found on the body of the deceased and viscera was kept preserved. The opinion regarding the cause of death is kept reserved till the availability of viscera report. The petitioner has no criminal antecedent as stated at para 3 of the bail petition. The petitioner is in custody since 07.08.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Aurangabad in connection with Sessions Trial No. 748/23-588/24 arising out of Haspura P.S. Case No. 170 of



2023, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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