

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35159 of 2024

Arising Out of PS. Case No.-176 Year-2023 Thana- ALAMNAGAR District- Madhepura

Dipak Kumar Yadav @ Dipak Kumar, aged about 24 years, (Male), Son of Late Madan Yadav, Resident of Village - Narthuwa, P.S.- Alamnagar, District - Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar, Advocate

For the Opposite Party : Mr.Anil Kumar Singh No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 24-06-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Alamnagar P.S. Case No. 176 of 2023 dated 22.06.2023 registered for the offences punishable under Sections 304B and 201/34 of the I.P.C.

3. As per the prosecution case, the petitioner and other accused persons are alleged to have committed murder the daughter of the informant due to non-fulfillment of Rs. 1,00,000/- and an Apache Motorcycle as a dowry.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner has neither



tortured the informant's daughter nor demanded any dowry. It is further submitted that the petitioner is the husband of the deceased and there is no eye witness to the alleged offence. It is further submitted that after investigation, police has submitted final form against the sister and sister-in-law of the petitioner and has also submitted the charge sheet only against the petitioner. The deceased had died in the house of the petitioner and the petitioner was not present at the time of occurrence and the deceased had gone to start the water supply motor and in that course she fell down and died immediately. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 23.06.2023.

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 Judicial Magistrate, Ist Class, Udakishunganj, in connection with Alamnagar P.S. Case No. 176 of 2023 with further condition:-

(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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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