

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42565 of 2024

Arising Out of PS. Case No.-685 Year-2023 Thana- FATEHPUR District- Gaya

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Krishan Yadav @ Krishana Kumar Yadav Son of Late Rambriksh Yadav
Village- Ragaini, Ps- Fatehpur , Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheikh Arkan Ahmad, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 30-08-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Fatehpur P.S. Case No. 685 of 2023 instituted for the offences
under Section 302/34 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of committing
murder of the daughter of the Informant/deceased by
administering poison for non-fulfillment of the dowry demand.
It has also been alleged that the petitioner/husband of the
deceased has illicit relationship with his sister-in-law/Munni
Devi.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is the husband of the deceased/Sangita Devi. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has neither tortured, assaulted or abused the deceased and has also never made any illegal demand as dowry and has falsely been implicated in the present case. He further submits that as a matter of fact, the deceased at the time of occurrence was in her Naihar where she suddenly became serious whereafter she was rushed to Fathepur Hospital for her treatment and, from there, she was referred to A.N.M.C.H. Hospital, Gaya but, on the way, she died. The petitioner has no criminal antecedent and is languishing in judicial custody since 17.09.2023 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Munni Devi has been granted bail by this Court vide order dated 25.04.2024 passed in Cr. Misc. No. 9378 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Fatehpur P.S. Case No. 685 of 2023, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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