

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40717 of 2024

Arising Out of PS. Case No.-150 Year-2020 Thana- CHAKAI District- Jamui

SURESH YADAV S/O KEDAR YADAV R/O VILLAGE- KORAIYA,
CHAKAI, P.S- CHAKAI, DISTT.- JAMUI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

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

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

ORAL ORDER

2 04-07-2024 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 connection with Chakai P.S. Case No. 150 of 2020 dated 17.08.2020 registered for the offences punishable u/ss 326(A)/120(B) read with Section 34 of the Indian Penal Code and u/s 3/4 of the Dowry Prohibition Act. Later on cognizance has been taken on 15.12.2020 only u/s 304(B)/34 of the I.P.C.

3. As per the prosecution case, the petitioner and the co-accused person are alleged to have killed the informant due to non-fulfillment of demand of Rs. 5,00,000/- as dowry. It is further alleged that the petitioner poured petrol over the body of the informant and set her on fire with the assistance of the co-accused persons.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the brother-in-law (*bhaisur*) of the deceased and he has no concern with the family affairs of the deceased. Learned counsel has further submitted that there are 14 charge-sheet witnesses in this case out of which 8 witnesses have been examined till now. The conclusion of trial will take time. The petitioner neither demanded any dowry nor tortured the informant. The description of inquest report of deceased has been mentioned in the case diary, which shows that body of deceased has been found burnt about 85-90% and doctor has also found burn injury over whole body of deceased and caused of death due to shock and on the result of flame burns as stated in para 14 of the bail petition. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 16.09.2020.

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, Jamui in connection with S.T. No. 64 of 2021 arising out of Chakai P.S. Case No. 150 of 2020 with the 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 bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

