

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55894 of 2024

Arising Out of PS. Case No.-40 Year-2000 Thana- KASMA District- Aurangabad

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Awadhesh Yadav son of Rajendra Yadav Village -Masaudha PS -Kasma
District -Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Kasma P. S. Case No. 40 of 2000 registered under Sections
304(B), 201/34 of the Indian Penal Code.

3. It is a case of dowry death.

4. As per prosecution case, this petitioner along with other
named accused persons killed daughter of informant for non-
fulfillment of demand of dowry. It is further alleged that dead
body of deceased was also cremated without giving information
to informant.

5. Learned counsel appearing on behalf of the petitioner



submits that petitioner is innocent and has falsely been implicated in the present case. Further submission is that as per F.I.R., alleged date of occurrence is 21.11.2000, but the present case was lodged on 29.11.2000 i.e. after inordinate delay of 8 days, which itself creates a doubt about veracity of the case. The police after investigation submitted final form on 08.04.2001 finding the case false against the petitioner, and after lapse of 22 years, learned Court below took cognizance against this petitioner differing with the final form. It is next submitted that similarly situated co-accused persons have already been granted bail by this Court *vide* order dated 19.06.2024 passed in Cr. Misc. No. 24450 of 2024.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and similarly situated co-accused persons have already been granted bail, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate-I, Aurangabad in connection with Kasma P. S. Case



No. 40 of 2000, subject to the conditions as laid down under
Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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