

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B. A. No. 2678 of 2013

Dharman Yadav ..... ... Petitioner

Versus

The State of Jharkhand ..... ... Opposite Party

-----  
CORAM : HON'BLE MR. JUSTICE H. C. MISHRA

-----  
For the Petitioner : Mr. Niraj Narayan Mishra, Advocate

For the State : A.P.P.

-----

2/ 22.03.2013 Heard learned counsel for the petitioner and learned A.P.P. for the Prosecution.

The petitioner has been made accused for the offences under Sections 302/34 of the Indian Penal Code, in connection with Bhawnathpur P.S. Case No. 201 of 2012 corresponding to G.R. No. 1549 of 2012.

The petitioner is the husband of the deceased and there is allegation against him to have subjected the deceased to cruelty and torture and to have assaulted her due to which she became unconscious and thereafter, the petitioner brought her to one Dr. Anil kumar, who referred her for further treatment to Varanasi. The lady died in course of being taken to Varanasi. From the FIR, it is apparent that the marriage had taken place in the year 2003 itself.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case and the statement of daughter of the deceased has been recorded, which shows that the deceased fell down from Tata Magic and she was being taken to treatment when she died in the way. Learned counsel has accordingly prayed for bail.

Learned A.P.P. for the State has opposed the prayer for bail.

The submissions of the learned counsel for the petitioner find support from the impugned order, wherein, the statement of the daughter of the deceased is detailed.

In the facts of this case, I am inclined to enlarge the petitioner, Dharman Yadav, on bail. Accordingly, the petitioner, named above, is directed to be released on bail, on furnishing bail bond of Rs. 10,000/- (ten thousand), with two sureties of the like amount each, to the satisfaction of learned Civil Judge (Junior Division)-V, Gahrwa, in connection with Bhawnathpur P.S. Case No. 201 of 2012 corresponding to G.R. No. 1549 of 2012.

( H. C. Mishra, J.)