

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17801 of 2015

Arising Out of PS.Case No. -68 Year- 2013 Thana -BASOPATTI District- MADHUBANI

Vijay Yadav, son of Sri Choudhary Yadav, resident of village/Mohalla-Mehtarpatti, P.S. Basopatti, District-Madhbani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

5 09-09-2015 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Sessions Trial No.61 of 2014, arising out of Basopatti P.S. Case No.68 of 2013, registered under Sections 302 and 201/34 of the Indian Penal Code.

The accusation is that the marriage of Punita Devi, daughter of the informant, Dana Devi, was performed with the petitioner 12 years ago and out of their wedlock, there are two sons, namely, Laxman Yadav aged about 6 years and Ram Yadav aged about 4 years. On 06.07.2013 at about 03.00 P.M., the informant received information from her elder son-in-law about carrying of Punita Devi for treatment at Jainagar by her sasural



people. The informant raised suspicion about the mis-happening of her daughter by her sasural people and, thereafter, she alongwith her son elder son-in-law reached at the Jainagar Hospital but no one was found there. Whereupon the informant came to the sasural house of her daughter but found all the members of her sasural people absent. The informant raised suspicion that the petitioner alongwith his family members have committed the murder of her daughter and disappeared her dead body.

Learned counsel appearing on behalf of the petitioner submits that the marriage of the daughter of the informant was performed with the petitioner 12 years ago. In fact, the deceased was of short tampered mind and used to left the matrimonial house without any reason. When the deceased left her matrimonial house, the petitioner and his family members started searing for her but no trace was found and, thereafter, the police lodged this false case against the petitioner and his family members. It is further submitted that it is detailed in the First Information Report that out of the wedlock of the petitioner and the deceased, there are two sons, namely, namely, Laxman Yadav aged about 6 years and Ram Yadav aged about 4 years, but the police did not take pain to record their statement during the course of investigation.

Further submission is that from perusal of the case diary, it would appear that all the witnesses examined during the course of investigation are not the eyewitness as they have stated about hearing of rushing to the deceased for treatment at Jainagar Hospital. The petitioner having no criminal antecedent is in custody since 19.11.2013.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge, Madhubani, in connection with Sessions Trial No.61 of 2014, arising out of Basopatti P.S. Case No.68 of 2013.

(Rajendra Kumar Mishra, J)

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