

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26687 of 2015

Arising Out of PS.Case No. -43 Year- 2014 Thana -CHANAN District- LAKHISARAI

=====

1. Kundan Yadav Son of Khelawan Yadav Resident of village -
Maheshpur, P.S. Chanan, District - Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. Shailendra Kumar-I(App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-07-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 302, 201 and 34 of the Indian Penal Code.

The prosecution story, in brief, is that the daughter of the informant was married with the petitioner. She also gave birth of two female child. The petitioner used to assault the victim due to birth of two female child. On 26.5.2014 the informant received information that his daughter died in her sasural. He went there and came to know that the dead body of his daughter is lying in a well. The informant claimed that his daughter was killed by the sasural people including the petitioner.

On behalf of the petitioner, it has been submitted that

though the petitioner is the husband of the victim but subsequently the informant within a very short time made a petition in the court below stating that due to mistake of fact the present case has been instituted. The deceased had died as she had fallen in the well. The said fact is supported by the post mortem report also.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, 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 A.C.J.M., Lakhisarai in connection with Chanan P.S. Case No. 43 of 2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

singh/-

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