

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40741 of 2015

Arising out of PS.Case No. -18 Year- 2015 Thana -SALIMPUR District- PATNA

Rajiv Yadav, son of Sri Krishna Yadav, resident of Village - Bihta, P.S. - Salimpur, District - Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Nilesh Kumar, Advocate.

For the Opposite Party : Mr. Dr.Indiwar Kumari(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-10-2015 Heard learned counsels for the petitioner, informant and learned counsel for the State

The petitioner is languishing in custody since 07.05.2015 in connection with Salimpur P.S. Case No. 18 of 2015 for the offences instituted under Sections 304(B), 498(A)/34 of the IPC.

The prosecution story, in brief, is that the petitioner is the husband of the deceased Asha Devi. It is alleged that Asha Devi was done to death and her dead body was lying at petitioner's house. It is also alleged that prior to the incident, the petitioner demanded Rs. 50,000/- for doing business and also threatened that if the demand was not fulfilled then he will kill Asha Devi and on refusal, the petitioner alongwith others killed Asha Devi.

It has been submitted on behalf of the petitioner that the

petitioner has got no criminal antecedent. The petitioner is in custody since 07.05.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The petitioner has falsely been implicated in the present case, the same is evident from paragraph nos. 35, 41, 42 and 50 of the case diary. In fact, the deceased is said to have committed suicide and on the death of his wife this petitioner had also lost his mental balance in absence of his wife. He used to work at Delhi.

On behalf of the learned counsels for the informant and the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned J.M. Ist Class, Barh, Patna, in connection with Salimpur P.S. Case No. 18/2015.

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(Sudhir Singh, J)