

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13076 of 2016

Arising Out of PS.Case No. -81 Year- 2015 Thana -AGIAUN BAZAR District- BHOJPUR

=====

1. Shankar Yadav Son of Nagina Yadav Resident of Village- Banshi Tola
(Salakhana), Police Station-Agion Bazar, District-Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Binod Kumar 2 (App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 10-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Agion Bazar
P.S. Case No. 81 of 2015 registered for the offences punishable
under Sections 302 and 201/34 of the Indian Penal Code.

Allegedly, Shushila Kumari aged 16 years the daughter
of the informant was assaulted by the petitioner and other F.I.R.
named accused persons and for that she was brought for treatment
before Dr. Pradeep at Village Jobdhara who gave some medicines
and advised to take away her for better treatment but she was
brought at the house and in the evening she died then the petitioner
and his family members took away the dead body and cremated
after causing threats.



Submission is of false implication and that during investigation Dr. Pradeep has been interrogated and he has submitted written application before the I.O. that Shushila was brought before him and it was told by her mother that Shushila has consumed some poisonous substance then he refused to treat her and later on he came to know that she died. Further during supervision also vide para 55 of the case diary it has come that as Shushila Kumari has developed some relationship with the husband of Anita Devi resulting the family members and villagers directed Shushila not to talk with Anita and her husband and then she consumed poison and her dead body was also cremated by her father and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. submits that other witnesses have supported the allegation.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Divya Jaiswal, learned Judicial Magistrate, Ara in connection with

Agion Bazar P.S. Case No. 81 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

sushma/-

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