

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19430 of 2016

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

1. Sri Niwas Yadav, Son of Nagina Yadav, resident of village Banshitola,
Salakhana, P.S. Agiaon Bazar, District Bhojpur.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Renuka Sharma

For the Opposite Party/s : Mr. Sharda Kumari (App)

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

3 29-06-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

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

Allegedly, Sushila 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 Doctor Pradeep at Village Jogdhara, who gave some
medicines and advised for better treatment but she was brought at
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 investigating officer that Shushila Kumari was brought before him and it was told by her mother that Shushila Kumari has consumed some poisonous substance then he refused to treat her and later on, he came to know that she died. During supervision vide paragraph-55 of the case diary it has come that Shushila Kumari has developed some relationship with the husband of Anita Devi resulting the family members and villagers directed Sushila Kumari not to talk with Anita Devi 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.

Similarly situated co-accused, Shankar Yadav has already been allowed bail vide Cr. Misc. No. 13076 of 2016.

The learned A.P.P. fairly submits that other co-accused has been allowed bail.

In the facts and circumstances stated above, 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, Arrah in connection with

Agiaon 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)

SHAHZAD/-

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