

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48106 of 2015

Arising Out of PS.Case No. -110 Year- 2015 Thana -LAUKHI District- MADHUBANI

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1. Jiwachh Yadav, son of Late Laxmi Yadav, resident of Village- Baryahi,
Police Station- Laukahi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 17-02-2016

Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 302 and 201/34 of the I.P.C

Punam Devi, the daughter of the informant, was
married to Sadanand Yadav, the son of the petitioner, thereafter
due to illicit relationship of Pawan Devi with Ghuran Yadav she
was being targeted and ultimately she was killed and her dead
body was cremated by the petitioner and other co-accused and at
that time the husband of the deceased was not there.

Submission is of false implication and that during
investigation nothing has come that the petitioner was involved in
killing the deceased, only it has come that the petitioner and others
cremated the dead body and the informant after realizing the truth

has filed compromise petition in the court below vide Annexure-2 and as such the petitioner deserves sympathetic consideration as he is suffering in custody since 20.07.2015 having no criminal antecedent.

The learned A.P.P. opposes prayer for bail by submitting that in absence of the husband the deceased was killed and the petitioner was present there.

In the facts and circumstances as stated above, considering that the informant is not ready to support the prosecution version against the petitioner and as such the petitioner is directed to 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 Sri S.K. Roy, J.M. 1st Class, Jhanjharpur in Laukahi P.S. Case No. 110 of 2015/ G.R. No. 1088 of 2015, subject to the conditions that one of the bailors must be a 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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