

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.57909 of 2015**

Arising Out of PS.Case No. -128 Year- 2015 Thana -MATIHANI District- BEGUSARAI

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Kailash Yadav @ Kailu Yadav Son of late Biranchi Yadav Resident of  
Village-Godargama, Damurkinar, P.s Matihani, District Begusarai.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s : Mr. Anil Pd.Singh(App)

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

3      16-02-2016                      Heard learned counsel for the petitioner and learned  
A.P.P. representing the State.

The petitioner seeks bail in connection with Matihani  
P.S. Case No. 128 of 2015 registered for the offences punishable  
under Sections 302, 201/34 of the Indian Penal Code and Section  
27 of the Arms Act.

Allegedly, after getting information that the petitioner  
has killed his daughter, the informant and other police personnel  
went there and saw the tractor coming, thereafter, the tractor was  
stopped but all the persons fled away and in the trailer of tractor,  
the dead body of the girl was found and it is alleged that the  
petitioner with help of others was trying to make the dead body  
traceless.



Submission is of false implication and that the daughter of the petitioner committed suicide by shooting herself in the room after closing the door from inside and with the help of villagers, the door was opened, the petitioner has been made victim of the circumstance, only due to the reason that he is the unfortunate father. Independent witnesses namely, Devendra Yadav, Arvind Yadav, Puja Kumari, Sunita Devi, Rambahadur Yadav, Ranjan Yadav have stated that Priyanka Kumari, the daughter of the petitioner committed suicide by shooting herself and without any legal and cogent material, chargesheet has been submitted under Section 302, 201/34 IPC.

The learned A.P.P. after going through the case diary submits that family members and the villagers have not supported the prosecution version.

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 the Learned Judicial Magistrate-1st Class, Begusarai in connection with Matihani P.S. Case No. 128 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)**

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