

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26712 of 2016

Arising out of PS.Case No. -3 Year- 2016 Thana -UPHARA District- AURANGABAD

Manoj Yadav, S/o Late Mohan Yadav, R/o village -Harigaw , P.S.- Uphara,District-Aurangabad(Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Lal Bahadur Singh, Advocate.

For the Opposite Party : Mr. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-08-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 20.05.2016 in connection with Uphara P.S. Case No. 03 of 2016, G. R. No. 41 of 2016 for the offences instituted under Sections 302, 201 and 328/34 of the IPC.

The prosecution story, in brief, is that merely on the basis of suspicion that accused persons might have administered poison, leading to death of the deceased, the present FIR has been instituted.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.05.2016 and the charge sheet has been submitted in the present case. There is no allegation of

tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. After ten years of the marriage, the alleged occurrence is said to have taken place. From perusal of paragraph nos. 19, 20, 21, 23 and 35 of the case diary, it appears that the witnesses have stated that the deceased was suffering from illness while she was being taken to doctor, on the way, she expired. The mother of the deceased has also made a similar statement. The other co-accused have been granted anticipatory bail by another co-ordinate Bench of this Court vide Annexure-2 to the present application.

On behalf of 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 S.D.J.M., Daudnagar, Aurangabad, in connection with Uphara P.S. Case No. 03 of 2016.

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(Sudhir Singh, J)