

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30406 of 2016

Arising Out of PS.Case No. -83 Year- 2015 Thana -JALE District- DARBHANGA

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Manoj Yadav son of Sri Dev Narayan Yadav, R/o village- Bhamarpura,
P.S.- Jale, District- Darbhanga

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Jha, Advocate.

For the Opposite Party : Mr. Bisheshwar Ram (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody in connection
with Jale P.S. Case No. 83 of 2015 for the offences instituted
under Sections 302 and 120B/34 of the Indian Penal Code.

There is allegation against the petitioner that he being
the husband of the deceased, in connivance with his family
members, committed murder of the niece of the informant by
sprinkling kerosene oil on her body. It is also alleged against the
petitioner that one month prior to the alleged occurrence, he had
solemnized his second marriage with another girl.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 31.03.2016. The charge sheet has

been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. From perusal of paragraph-23, 24, 25, 26, 27, 28 and 42 of the case diary, it is evident that it is a case of suicide. No offence under section 302 of the Indian Penal Code is made out against the petitioner. Since the deceased was issueless and for the said reason, she is said to have committed suicide.

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 Chief Judicial Magistrate, Darbhanga, in connection with Jale P.S. Case No. 83 of 2015.

(Sudhir Singh, J.)

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