

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31452 of 2016

Arising Out of PS.Case No. -109 Year- 2015 Thana -PHULWARIA District- GOPALGANJ

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Surendra Yadav Son of Ramanand Yadav, Resident of Village- Chero Tola
Rampur Majirawa Kala, Police Station- Phulwaria, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Lokesh Kumar Singh

For the Opposite Party : Mr. Sri Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 15-09-2016

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 304 (B) and 201/34 of the I.P.C

Saroj Kumari, the daughter of the informant, was married to Ravindra Yadav, the son of the petitioner, on 20.05.2013 and thereafter on 30.07.2015 in absence of the husband all other family members including the petitioner strangled her to death and made the dead body traceless.

Submission is of false implication and that during investigation it has come that it was Rudal Yadav who in drunken condition used to say something to the deceased, there is nothing against the petitioner, the petitioner is an old father-in-law, the mother-in-law has already been allowed anticipatory bail and that Rudal Yadav has also been allowed anticipatory bail, in

paragraph- 36 of the case diary there is statement of brother of the deceased, namely, Rajnish Yadav, who said that he was present at the house of his sister on the date of occurrence, he has also stated that on that day there was no altercation and only Rudal Yadav who was in drunken condition used to say something to his sister and thereafter he left that place at 4 P.M., the petitioner is in custody since 26.05.2016, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence 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 C.J.M. Gopalganj in Fulwaria P.S. Case No. 109 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.

(Jitendra Mohan Sharma, J)

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