

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50764 of 2016

Arising Out of PS.Case No. -18 Year- 2016 Thana -SALAIYA District- AURANGABAD

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Vijay Yadav @ Bijay Yadav, S/o Late Shalik Yadav, resident of Village-
Baradi, P.S.- Salaiya, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bhaskar Shankar, Advocate

For the Opposite Party : Mr. Arun Kumar Pandey, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 25-11-2016 Heard the learned counsel for the petitioner and the

learned APP for the State.

Petitioner is languishing in custody since 08.07.2016 in
connection with Salaiya P.S.Case No.18 of 2016 for offence
alleged under Sections 302/34 of the IPC.

The prosecution case as lodged by the brother of the
deceased is that his sister was married in 2006 with one Lalan
Yadav and the petitioner is the father of the husband of the
deceased. Further allegation is that the husband always used to
beat his wife for bringing a motorcycle from her parents. On
12.06.2016, it has been alleged that the husband Lalan Yadav and
his family assaulted her and poisoned her as a result of which she
died.



It has been submitted by the learned counsel for the petitioner that there is allegation against the husband and petitioner being the father-in-law of the deceased, no demand of dowry has been made against him. He submits that the viscera of the deceased has been preserved and from the postmortem report, there is no sign of poisoning. He further submits in the supplementary affidavit it has been that the husband is already in judicial custody since 16.06.2016. Chargesheet having been submitted, there is no chance of tampering with the evidence.

However, learned APP for the State submits that the petitioner is named in the FIR, hence opposes the prayer for bail.

From perusal of materials on record, it appears that chargesheet has already been submitted and the petitioner's release from custody would not adversely affect his trial. Thus, in the interest of justice and considering the period of custody, let the above named petitioner 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 learned CJM, Aurangabad in connection with Salaiya P.S.Case No.18 of 2016.

It is further made clear that this direction for bail is further subject to the condition that the petitioner will not directly or indirectly, make any inducement, threat or promise to any

person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions, this bail application stands allowed.

(Nilu Agrawal, J)

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