

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38397 of 2015

Arising Out of PS.Case No. -178 Year- 2015 Thana -ARA MUFFSIL District- BHOJPUR

=====

Lootawan Yadav, S/o Sheo Pujan Yadav, R/o village Sariswan, P.S. Ara,
Muffasil, District Bhojpur. Petitioner

Versus

The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

3 10-02-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Ara Muffasil P.S. Case No. 178 of 2015, disclosing offences
under Sections 302 and 201 of the Indian Penal Code.

The petitioner is the brother of the husband of the
deceased. The deceased was married to one Surendra Yadav
nearly 20 years ago. According to First Information Report, said
Surendra Yadav earned his livelihood in Kanya Kumari. The
informant is said to have learnt about the occurrence on
10.05.2014 that his sister, the deceased has been killed by the
petitioner by administering poison.

Learned counsel appearing on behalf of the petitioner
contends that there is no material which could be collected in
course of investigation to suggest that the deceased died of

poisoning. He further contends that the independent witnesses, who were examined in course of investigation, have not supported the prosecution version. These submissions have not been countered by the Additional Public Prosecution for the State.

Considering the submissions as above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Muffasil P.S. Case No. 178 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

U		T	
---	--	---	--