

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55823 of 2015

Arising Out of PS.Case No. -193 Year- 2015 Thana -MARHAURA District- SARAN

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Yogendra Ram @ Yogendra Prasad, son of Late Ram Bachan Ram, resident
of village- Narharpur Basant, P.S.- Marhowrah, District- Saran (Chhapra).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. M.Dayal (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 10-02-2016 Supplementary affidavit has been filed annexing the

copy of order dated 5.11.2015 where under cognizance has been

taken under section 306 I.P.C. against the petitioner. Keep it on

the record.

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 offence

punishable under section 302/34 of the Indian Penal Code.

Geeta Kumari, the daughter of the informant was

married to the petitioner in the year 2005 and out of the wedlock,

there is a daughter, namely, Khushboo Kumari, but thereafter, the

petitioner developed illicit relationship with his Bhabhi, which

was being opposed by Geeta Kumari resulting she was being

assaulted and ultimately, she was burnt to death by the petitioner, his brother and Bhabhi.

Submission is of false implication and that there was cordial relation between the petitioner and his wife, the wife of the petitioner was short temper lady and due to some dispute she committed suicide inside the room after locking the room from inside by setting fire to herself by pouring kerosene oil and this fact has been stated by daughter Khushboo Kumari during investigation vide paragraph-10 of the case diary. The petitioner also sustained injury when he was trying to put off the fire after breaking the door and as such the petitioner, who is suffering in custody since 14.6.2015, deserves sympathetic consideration.

The learned A.P.P. fairly submits that the daughter of the deceased has not supported the prosecution version besides the other witnesses.

In the facts and circumstances stated above, considering that cognizance has already been taken under section 306 I.P.C. and there is no chance of tampering with the prosecution evidence and as such the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saran at

Chapra in connection with Marhowrah P.S. Case No.193 of 2015, subject to the conditions that one of the bailors must be 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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