

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50776 of 2016

Arising Out of PS.Case No. -13 Year- 2016 Thana -CHAUSA District- MADHEPURA

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Jai Krishna Yadav, son of Late Musho Yadav, resident of village-Arajpur
Mitha Toala @ Bhitha Tola, P.S. Chausa, District-Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pawan Kumar, Advocate

For the Opposite Party : Smt. Veena Rani Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-11-2016 Heard the learned counsel for the petitioner and the
learned APP for the State.

Petitioner is languishing in judicial custody since
12.09.2016 in connection with Chausa P.S.Case No.13 of 2016 for
offence alleged under Sections 304(B), 201, 120(B) and 34 of the
IPC.

The prosecution case is that the informant's daughter
has been killed by her husband and concubine and the petitioner
and other co-accused were instrumental in disposal of the dead
body.

It has been submitted by the learned counsel for the
petitioner that the petitioner is innocent having not committed any
offence and being the agnate and distinct uncle of the husband of
the deceased has been falsely implicated in the aforesaid case only

on the basis of suspicion.

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

From the materials available, 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 SDJM, Udakishunganj, District-Madhepura in connection with Chausa P.S.Case No.13 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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