

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10191 of 2017

Arising Out of PS.Case No. -107 Year- 2016 Thana -DULHIN BAZAR District- PATNA

=====

1. Binda Yadav, son of Late Raja Ram Yadav, Resident of Village-Sarabadipur, P.S.- Dulhin Bazar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajendra Narayan
Dr. Manoj Kumar

For the Opposite Party/s : Mr. Kumar Virendra Narayan

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-03-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with Dulhin Bazar P.S.Case No.107 of 2016 registered for offences punishable under Sections 328, 302 and 201 of the Indian Penal Code.

It is submitted on behalf of the petitioner that there is general and omnibus allegation against the petitioner that he along with the other co-accused persons administered poison to the deceased but no specific allegation has been made against the petitioner. The petitioner has been falsely implicated in this case only because of the fact that she was demanding her share and the co-accused, having similar allegation, have already been granted anticipatory bail by this Court, vide order dated 17.01.2017 passed in Cr. Misc. No.1430 of 2017. The petitioner is father-in-law, aged about 65 years old.



Heard learned A.P.P. also.

Having heard both sides and in view of submission of the learned counsel of the petitioner that the other co-accused having similar allegation have already been granted anticipatory bail by this Court and the petitioner is aged about 65 years old, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M.-III, Danapur (Patna) in connection with Dulhin Bazar P.S.Case No.107 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

U			
---	--	--	--

