

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1976 of 2017

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

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Brij Mohan Yadav, son of Binda Yadav, resident of Village- Sabadipur,
P.S.- Dulhin Bazar, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Opposite Party/s : Mr. Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 25-01-2017 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 offences
punishable under sections 328, 302 and 201 of the I.P.C.

Allegedly, the petitioner and other accused persons
killed Bharti Raj, aged about ten years, daughter of the informant
by forcibly administering poison to her and made the dead body
traceless.

Submission is that the petitioner is Dewar of the
informant. Due to family dispute the case has been lodged.
Husband of the informant died and only with a view to take more
share this false case has been lodged. In this case, Veena Devi and
Ranju Devi have been allowed pre-arrest bail by another



coordinate Bench of this Court vide Cr.Misc.No. 1430 of 2017 by order dated 17.1.2017 and as such, the petitioner also deserves sympathetic consideration as he is suffering in custody since 16.9.2016. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP appearing for the State, submits that the petitioner is also named in the F.I.R.

In the facts and circumstances as stated above, the petitioner is directed to 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 A.C.J.M. 3rd, Danapur in Dulhin Bazar P.S. Case No. 107 of 2016, subject to the conditions that one of the bailors must be a 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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