

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30152 of 2017

Arising Out of PS.Case No. -33 Year- 2017 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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Shyam Yadav @ Sohan, S/o Late Singeshwar Yadav, R/o- Vill.- Kankaul,
P.S.- Begusarai Mufassil Dist.- Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Binode Bariar

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 31-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
24.01.2017 in connection with Begusarai Mufassil P.S. Case
No.33 of 2017 for offences punishable under Section 304 (B)
of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his sister Savita Devi was killed by her husband, the
petitioner (who is his Dewar), and petitioner's wife due to
non-fulfillment of demand of bed. It is alleged that the
marriage was solemnized five years back and she was



subjected to torture for demand of bed and has been killed by the accused persons.

It has been submitted by the learned counsel for the petitioner that he is Dewar of the deceased Savita Devi and has been separate from his brother namely Munna Yadav and the deceased as is evident from the statement of witnesses and that no overt act has been committed by him. He submits that husband namely Munna Yadav is in custody and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record and that the husband is already in custody, let petitioner, above named, be enlarged 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 Chief Judicial Magistrate, Begusarai in connection with Begusarai Mufassil P.S. Case No. 33 of 2017, subject to the condition that one of the bailors would be a close relative of



the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/-

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