

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26258 of 2017

Arising Out of PS.Case No. -71 Year- 2010 Thana -FATEHPUR District- GAYA

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1. Anil Kumar Yadav @ Anil Yadav Son of Nanku Yadav @ Nanhak Yadav, Resident of Village- Simariya, P.S.- Fatehpur, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Ram Priya Saran Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 06-07-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in jail since 22.03.2017 in a case registered for offences punishable under Sections 302 and 201/ 34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that the daughter of the informant was married to one Rajesh Yadav in the year 1998 and she was issueless due to which she was being tortured by her in-laws' family and ultimately killed.

It has been submitted by the learned counsel for the petitioner that the petitioner (devar of the deceased) is innocent and has no criminal antecedent. It is submitted that the petitioner is preparing for competitive examination at Patna and he has no concern with the affairs of his brother (husband of the deceased). It has been further submitted that co-accused, father-in-law,



Uncle-in-law and husband of the deceased have been acquitted on 31.10.2014 in Sessions Trial No. 74 of 2011/17/2011 as the prosecution witnesses have not supported the prosecution case.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. – Xth Gaya in connection with Fatehpur P.S.Case No. 71 of 2010 (G.R. No.-1461/2010), subject to the conditions that one of the bailors would be a close relative of the petitioner and the other bailor would have sufficient immovable property within the jurisdiction of the concerned police station/Court who will file an affidavit stating his relationship with the petitioner and that the petitioner is directed to appear before the learned Court below on each and every date and failure to appear before the learned Court on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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