

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39758 of 2017

Arising Out of PS.Case No. -141 Year- 2016 Thana -KAKO District- JEHANABAD

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Nagendra Yadav, Son of Vishwanath Yadav, Resident of Village- Jogiya
Dih, P.S. Kako, District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Prasad Singh

For the Opposite Party/s : Mr. Sri Akbar Ali

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 17-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
24.04.2017 in connection with Kako P.S. Case No. 141 of 2016
for offences punishable under Sections 304(B)/34 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter Baby Devi was married to the petitioner 5-6
years back and the petitioner along with his parents tortured her
for non-fulfillment of demand of motorcycle and she was drowned
in the river from where her body was recovered.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that witnesses have not supported the prosecution case as they have stated in para-11,12 and 13 of the case diary that last night there was certain dispute between the petitioner and his deceased wife and next morning she was seen going towards the river. He submits that even the post mortem report does not bear any external or internal injury. He submits that charge-sheet has been submitted under Section 306 of the Indian Penal Code against him.

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

Considering the facts and circumstances and the materials on record, 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, Jehanabad in connection with Kako P.S. Case No. 141 of 2016, subject to the conditions that:

- (1) Both bailors would be close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police



station/ court, who will file an affidavit stating their relationship with the petitioner.

(2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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