

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27605 of 2017

Arising Out of PS.Case No. -464 Year- 2015 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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Subodh Yadav @ Subodh Kumar son of Late Doman Yadav, Resident of
Village- Bangachchha, P.S. Telmar, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar
For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 29-08-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner seeks bail in connection with Harnaut P.S.
Case No. 464 of 2015 for offences punishable under Sections
302/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that he got information from his nephew that his sister Munni Devi
has been killed by the petitioner who was her husband.

It has been submitted by the learned counsel for the
petitioner that he is innocent and the allegation of killing of his
wife is unfounded as the police has submitted the final form under
Section 306/34 of the Indian Penal Code as it was a case of
suicide. He submits that there were two wives of the petitioner



and both used to quarrel and some of the independent witnesses have not supported the prosecution case. He submits that even the son of the deceased is not an eye witness to the alleged occurrence. He submits that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses and is in custody since 13.04.2017.

However, learned counsel for the informant submits that the petitioner is the husband of the deceased and some of the witnesses have supported the prosecution case. He submits that the petitioner had solemnized two marriages and has killed his first wife Munni Devi. Learned A.P.P. for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of six months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Nalanda at Biharsharif in connection with Harnaut P.S. Case No. 464 of 2015, 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 and that 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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