

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14956 of 2018

Arising Out of PS. Case No.-309 Year-2013 Thana- BARACHATTI District- Gaya

Rajendra Yadav, S/o Mohan Yadav, R/o village- Dungra, P.S. Fatehpur,
District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar, Advocate
For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-03-2018 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner seeks regular bail in connection with Barachatti
P.S. Case No. 309 of 2013 for the offence alleged under
Sections 302,201/13 of the Indian Penal Code.

Learned counsel for the petitioner is permitted to make
necessary correction in the prayer portion of this petition.

The prosecution case, as lodged by the informant, is that
his sister Basanti Devi was married to one Pintu Yadav, but she
was always beaten by her husband and in-laws. Subsequently,
the dead body of Basanti Devi was found in a well.

It has been submitted by the learned counsel for the
petitioner that he is innocent and being the father-in-law, he has
been falsely implicated in the aforesaid case. He submits that he



is an old man of 70 years and the husband of the deceased has already been acquitted by the Additional District and Sessions Judge-IX, Gaya in Sessions Trial No. 163 of 2014/475 of 2014 vide order dated 27.02.2015. He submits that the matter has been compromised and that there is no specific allegation against him. He submits that charge-sheet has already been submitted and there is no allegation of tampering the prosecution witnesses.

However, learned APP 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sherghati, Gaya, in connection with Barachatti P.S. Case No. 309 of 2013, subject to the following conditions-

1. One of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his 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)

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