

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76401 of 2018

Arising Out of PS. Case No.-24 Year-2018 Thana- MAIN P.S. District- Gaya

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1. Mathur Yadav @ Mathura Yadav, Son of Late Jageshwar Yadav
 2. Chandeshwar @ Chaneshar @ Binod Yadav @ Chaneshwar Yadav
 3. Lalesh Kumar @ Lalesh Yadav
 4. Anodh Yadav @ Anod Yadav

All Sons of Sri Mathur Yadav, Resident of Village-S uraundha,
P.S. - Main, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Chaubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-12-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in connection
with Main P.S. Case No. 24 of 2018 for the offence under
Sections 304 (B) and 201/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners have got no criminal antecedent. Referring to the
prosecution case, learned counsel for the petitioners submits that
the petitioners are agnate and they are living separately for the
last 25 years.

Considering the fact that the petitioners have got no
criminal antecedent and they are agnate and not the close



relative of the husband of the victim, the petitioners named above, in the event of arrest or surrender before the court below within one month from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Gaya in connection with Main P.S. Case No. 24 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The Court below is directed to verify the fact whether the petitioners are residing separately from the husband of the victim for the last 25 years or not before releasing the petitioners. In case, it is found that they are living separately, the court below shall release the petitioners, otherwise the court below may not release them.

(Anil Kumar Upadhyay, J)

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