

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55097 of 2018

Arising Out of PS. Case No.-2608 Year-2015 Thana- SIWAN COMPLAINT CASE District-
Siwan

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Rajesh Yadav, Son of Late Gorakh Yadav, Resident of Village- Pinarthu, P.S.
Daraundha, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Aarti Devi, Wife of Late Kanhaiya Yadav, Resident of Village- Ramsapur
Tole Loper, P.S. Daraundha, District- Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Bijay Prakash Singh, Advocate
For the State : Mr. Manoj Kumar – 1, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-10-2018 The earlier anticipatory bail application of the

petitioner was dismissed as withdrawn vide Annexure-1 to the

present application. No order was passed on merit.

Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No.2.

The petitioner seeks bail in a case registered under
Sections 302, 354, 498/34 of the Indian Penal Code.

Allegation is that the accused persons including the
petitioner assaulted and tortured the victim, due to which she
sustained injuries and later on died.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.03.2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The allegation is that the petitioner is said to have killed his father and his brother on 17.01.2015 and 14.08.2015 respectively. In respect of the same, a complaint was filed by the complainant on 10.09.2015. Prior to institution of the present complaint case, a case was filed by the petitioner against the brother of the complainant on 08.09.2015, which was instituted under Section 156(3) of the Cr.P.C. in which one of the persons in course of treatment is said to have died and thereafter Section 302 I.P.C. was also added in the said case. So far the present case is concerned, there is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication of the petitioner in the present case nor there is any postmortem report in support of the allegations made by the complainant.

On behalf of the State and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. XI, Siwan in connection with Complaint case No.2608 of 2015.

(Sudhir Singh, J)

Narendra/-

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