

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35365 of 2018

Arising Out of PS.Case No. -147 Year- 2017 Thana -SHAKURABAD District- JEHANABAD

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1. Krishna Yadav S/o Chandeshwar Yadav Resident of Village- Machayara,
P.S. Shakurabad, District- Jehanabad Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha, Adv

For the Opposite Party/s : Mr. Sri Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

3 21-08-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 342, 302, 201/34 of
the Indian Penal Code.

Wife of this petitioner died in unnatural
circumstances in the house of the petitioner after 15 years of
her marriage. The victim had two sons and a daughter at the
time of her death. The sons informed to the father of the
deceased, who is informant of this case, on telephone that
the family members had throttled her to death. The dead
body was disposed of. Hence, no postmortem report is there.
The case diary would reveal that statement of the sons of the
deceased was not recorded by the police rather perfunctory
report was submitted by the Senior Police Officer in the
nature of supervision note that false allegation is there
without collecting the best evidence available in the case



which could have gone against or in favour of the accused.

Submission of the learned counsel for the petitioner is that the petitioner is in custody since 31.12.2017. The petitioner was not named even by the two sons of deceased as assailant of the deceased.

Considering the fact that during investigation, it revealed that the deceased had taken poison after quarrel with the petitioner as well as considering the fact that there is no material that the petitioner was involved in the murder of his wife or the suicide was result of direct abetment of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Shakurabad Police Station Case No.147 of 2017, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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