

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35639 of 2018

Arising Out of PS. Case No.-182 Year-2018 Thana- BIHARSHARIF District- Nalanda

Upendra Yadav, Son of Late Krishnanandan Yadav @ Late Krishan Prasad,
Resident of village- Nakatpura @ Nakat Pure, P.S.- Bihar, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lilawati Singh

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 498A and 302/34 of the Indian Penal
Code.

Allegation against the petitioner is of committing
torture and thereafter committed murder of the victim due to
non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 29.4.2018 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge-sheet has been
submitted in the present case. The petitioner has been made
accused due to mistake of fact. The said fact is evident from



perusal of Annexure-2 of the present application where the informant has filed a petition in the Court below denying the allegations made in the F.I.R.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that 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 learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Bihar P.S. Case No. 182 of 2018.

(Sudhir Singh, J)

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