

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.78159 of 2018**

Arising Out of PS. Case No.-82 Year-2018 Thana- BHARGAMA District- Araria

Shyamal Kishore Yadav @ Shyam Kishore Yadav S/o Late Asharfi Yadav R/o  
Vill.- Shankarpur, P.S.- Bhargama, district- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Abhijeet Gautam  
For the Respondent/s : Mr.Sri Rajkishore Singh

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      15-01-2019                      Heard learned counsel for the parties.

Petitioner seeks bail in **Bhargam P.S. Case No. 82 of 2018** registered for the offence punishable under Sections 302, 304B, 120B and 201 of the Indian Penal Code.

Informant who is the mother of deceased has alleged in her complaint case that her daughter was married to petitioner 8 years before and she was subjected to torture for non fulfillment of demand of Rs. 1 Lacs. Ultimately she received information that her daughter was killed and her dead body has been concealed by the petitioner and his family members.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been submitted that the complaint case has been filed after two months of the alleged occurrence and FIR was registered after



delay of about six months. It has been further submitted that the allegations are general and omnibus in nature. Petitioner has got no criminal antecedent and is in custody since 29.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Araria**, in connection with **Bhargam P.S. Case No. 82 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(S. Kumar, J)**

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