

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28298 of 2019

Arising Out of PS. Case No.-50 Year-2018 Thana- NALANDA District- Nalanda

KISHORI YADAV @ KISHORE YADAV S/o Late Gajadhar Gope @
Gajadhar Yadav R/o village- Rangila Bigha, P.S.- Nalanda, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rewti Kant Raman

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-07-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 304(B)/34
of the Indian Penal Code.

Prosecution case as lodged by the informant is that on
01.04.2018 at about 6.30PM her daughter has been murdered by
her Gotias by pressing her neck with rope and kept her on cot.
After getting such informant, she along with Dilip Kumar and
villagers went to village Rangila Bigha where they found that
her daughter is lying on cot and there is black sign on her neck.
On inquiry, she came to know that her husband, elder brother,



younger brother, gotani and nephew have committed murder of her daughter by pressing rope on her neck.

It has been submitted on behalf of the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated. He submits that petitioner (husband) was not present on the date of occurrence as he was residing in Rameshwar Colony, Surat (Gujrat) and discharging his duty in Astha company in which cloths are being manufacture regularly since 10.01.2018 till 02.04.2018 without any break. This fact also came in the case diary and independent witnesses have also supported that the petitioner is not present at the place of occurrence.

In the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nalanda in connection with Nalanda Police Station Case No. 50 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that 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.

(Anjani Kumar Sharan, J)

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