

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41447 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- PRATAPGANJ District- Supaul

BISHUNDEO YADAV Son of Sri Satya Narayan Yadav Resident of Village-
Belhi, P.S.- Pratapganj, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Pratapganj P.S. Case No. 30 of 2019 registered for the offences
punishable under Sections 364 and 34 of the Indian Penal Code
to which subsequently Section 302 of the IPC was added.

As per allegation in the F.I.R., the married daughter of
the informant along with her son, who was living with the
informant, is said to have gone with one Sanjay Yadav, who was
himself a married man. It is further stated that said Sanjay
Yadav along with his wife, mother, father, brother and bhabhi
used to abuse and beat up the informant's daughter and her son.

It is submitted by learned counsel for the petitioner
that from perusal of the FIR it would transpire that specific



allegation is against one Sanjay Yadav and this petitioner has been implicated in this case only because of being brother of Sanjay Yadav. There is no evidence against the petitioner in the case diary. He is in custody since 25.03.2019 and has no criminal antecedent. Investigation has already concluded with submission of charge-sheet.

It is submitted by learned counsel for the informant that the daughter of the informant and her son were living in the house of aforesaid Sanjay Yadav. It is a joint family wherein, all the family members including this petitioner are residing. Further it transpired from the notes of investigation that the son of the informant's daughter was poisoned to death and his body was buried in the field. It is further stated that the daughter of the informant is still traceless and, as such, it is not an appropriate case to enlarge the petitioner on bail.

Having heard the learned counsel for the parties and taking into consideration that the main allegation in the FIR is against Sanjay Yadav, who is said to be in judicial custody, investigation has concluded and charge-sheet has already been submitted against the petitioner, who is in custody since 25.03.2019, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on



bail on furnishing bail bonds of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Birpur, Supaul in connection with Pratapganj P.S. Case No. 30 of 2019.

(Partha Sarthy, J)

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