

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43032 of 2019

Arising Out of PS. Case No.-33 Year-2019 Thana- MURLIGANJ District- Madhepura

MAHESHWAR YADAV @ MAHESHWAR PRASAD YADAV, aged about 62 years (Male), Son of Late Bilo Yadav, Resident of Village - Dumaria, P.S.- Murliganj, District – Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Viveka Nandsingh, Advocate.
For the State : Mr.Pawan Kumar Chaurasia, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-07-2019 Heard learned counsels for the petitioner, informant and learned A.P.P. for the State.

The petitioner is languishing in custody since 27.01.2019 in a case for the offence registered under Sections 302/34 of the IPC.

The prosecution story, in brief, is that on 25.01.2019 at about 11.30 A.M. the informant got information from the Villagers that her mother Manju Devi was killed. When she came there alongwith her husband she found that blood was oozing out from the mouth and ear of her mother and she was dead. Her father (petitioner) had performed second marriage with one Poonam Devi. Her step-brothers as well as son-in-law and second wife of her father often tortured her deceased



mother.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. There is no eye witness to the alleged occurrence. There is no substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let 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 the learned C.J.M. Madhepura, in connection with Murliganj P.S. Case No. 33 of 2019.

U.K./-

(Sudhir Singh, J)

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