

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42976 of 2019

Arising Out of PS. Case No.-83 Year-2017 Thana- KADIRGANJ District- Patna

PINTU YADAV Son of Late Naresh Yadav Resident of Village- Daulatpur,
P.S.- Kadirganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Chandra, Advocate
For the Opposite Party/s : Mr. Atul Chandra

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 27-09-2019 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in connection with Kadirganj P.S. Case No. 83 of 2017 dated 28.08.2017 instituted for the offences under Sections 302, 201/34 of the Indian Penal Code.

The petitioner is the father of the deceased. The mother of the deceased, who is the informant of this case, has alleged that because of strained relationship between her and the petitioner (her erstwhile husband), she had left her matrimonial home and had solemnized marriage with one Mukesh Kumar. The children born out of her wedlock with the petitioner were staying with the informant and her new husband. Over the period of time, one of the daughters born to the informant from



her the marriage with the petitioner, became of marriageable age and all efforts were made by the petitioner and other family members to fix her marriage. Later, it transpired that she married somebody else of her choice, which was not to the liking of the petitioner and his other family members.

The informant, who is the mother of the deceased and the erstwhile wife of the petitioner has alleged that she has suspicion that the deceased has been done to death by the petitioner and others, perhaps as a measure of retaliation against the deceased having contracted marriage of her own.

There is no eye witness to the occurrence and the accusation is only based on suspicion.

This Court has also taken note of the fact that the relationship between the petitioner and the informant has been far from cordial for a very long time. In such a circumstance, the possibility of falsely raising an accusing finger at the petitioner and his family members cannot be ruled out.

Considering this aspect of the matter, the grand-father of the deceased (father of the petitioner) has been granted bail by a bench of this Court, which order has been annexed with this bail petition.

Considering the aforestated facts and taking



into account the period of custody of the petitioner which is from 19.09.2018, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge IV, Patna in connection with Kadirganj P.S. Case No. 83 of 2017.

(Ashutosh Kumar, J)

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