

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59846 of 2019

Arising Out of PS. Case No.-131 Year-2018 Thana- PASRAHA District- Khagaria

RABIN YADAV (Male), aged about 38 years, Son of Lalo Yadav, Resident of Village- Piparpanti, P.S.- Pasraha, District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Mukesh Kumar, Advocate.

For the Opposite Party : Mr.Arun Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 23-10-2019 A supplementary affidavit has been filed on behalf of the petitioner. Let it be kept on the record.

Learned counsel for the petitioner is permitted to make necessary correction in paragraph no. 3 of the bail application in light of supplementary affidavit filed by the petitioner.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 302/34 of the IPC.

The prosecution story, in brief, is that the petitioner and other accused persons who were standing near her husband and they gave threat and committed murder of her husband by strangulation.



It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 31.07.2019. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. Subsequently, in course of investigation, the informant tried to develop the prosecution story and claims to be an eye witness to the alleged occurrence. It is alleged by the informant that all accused persons by pressing the neck of the deceased had committed murder of the husband of the informant. There is no reason assigned on behalf of the prosecution why the informant did not name the petitioner in the F.I.R. itself when she was an witness to the alleged occurrence. Other co-accused has been granted bail by the then Co-ordinate Bench of this Court vide Cr. Misc. No. 39559 of 2019 under order dated 12.06.2019.

On behalf of the State, it is submitted that the petitioner is not 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 S.D.J.M.
Khagaria, in connection with Pasraha P.S. Case No. 131 of
2018.

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(Sudhir Singh, J)

