

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70386 of 2019

Arising Out of PS. Case No.-78 Year-2019 Thana- SARMERA District- Nalanda

=====

AWADHESH YADAV Son of Bachchu Yadav @ Vachan Yadav Resident of
Village-Gowachak, P.S.-Sarmera, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Umesh Lal Verma

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 18-02-2020 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sarmera P.S.
Case No.78 of 2019 registered under Sections 302 and 201/34 of the
Indian Penal Code.

The accusation is that the marriage of the sister of the
informant was performed with the petitioner before 10 years and due
to wedlock, the sister of the informant was blessed with two children.
On 22.05.2019, the informant received information from his step
niece Nibha Kumari on phone that his sister has died. Thereafter, the
informant along with his other family members went to the sasural
house of his sister but his brother-in-law (petitioner) and his other
family members did not permit him to meet to his sister. The
informant claimed that the petitioner and his other family members



committed the murder of his sister and concealed her dead body.

Learned counsel appearing on behalf of the petitioner submits that, admittedly, the marriage of the petitioner was performed with the sister of the informant before 10 years and due to heat stroke, the sister of the informant became ill. Thereafter, the sister of the informant was brought to the clinic of Dr. Murari but she died and her dead body was cremated. The aforesaid fact has also come in the statement of the witnesses, as detailed in paragraphs-49, 50 and 51 of the case diary. With an ulterior motive, the petitioner and his family members have falsely been implicated in this case. The petitioner is in custody since 17.06.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on 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 Chief Judicial Magistrate, Nalanda (Biharsharif), in connection with Sarmera P.S. Case No.78 of 2019.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

