

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26026 of 2021

Arising Out of PS. Case No.-88 Year-2020 Thana- ARER District- Madhubani

SITAI YADAV SON OF LATE JEBAR YADAV (WRONGLY MENTIONED
AGED OF THE PETITIONER 50 YEARS IN THE F.I.R.) RESIDENT OF
VILLAGE- PAUNA, P.S. ARER, DISTRICT- MADHUBANI

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Gagandeo Yadav, Advocate. Mr. Vinod Kumar, Advocate. Mr. Ravi Prakash, Advocate.
For the State	:	Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 08-12-2021 The applicant/accused in Crime No.88 of 2020 registered with Police Station-Arer for the offence punishable under Section 304(B) read with Section 34 of the Indian Penal Code, by this application is seeking his release on bail during the course of the trial.

Learned counsel appearing for the applicant submits that now, the charge-sheet has already been filed and the applicant is behind the bars from 09.08.2020. General allegations are made against the applicant.

Learned Additional Public Prosecutor opposed the application by contending that the name of the applicant is mentioned in the F.I.R. with role played by him.



I have considered the submissions so advanced and also perused the F.I.R. lodged by the father of the deceased married women.

It is seen that deceased Kanchan Devi married Gulab Yadav three years prior the incident and out of this wedlock, she had given birth to a male child. It is averred by the first informant/father Ram Sakal Yadav that six months earlier for purchasing a land, he had given Rs.1,50,000/- to the applicant, who happens to be father-in-law of deceased. However, again, for demanding money, the applicant and his son started pressurizing Kanchan Devi. That is how, according to the first informant, Kanchan Devi, died an unnatural death on 26.07.2020.

The investigation of the crime in question is already over. Nothing is pointed out to show that the applicant would not be able for the trial. He has already undergone pretrial detention for sufficient period. Hence, the order.

(i). The application is allowed.

(ii). The applicant/accused in Crime No.88 of 2020 registered with Police Station-Arer for the offence punishable under Section 304(B) read with Section 34 of the Indian Penal Code be released on bail on executing P.R. bond of Rs.10000/-



(Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

- (I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.
- (II). The applicant should cooperate the trial in expeditious disposal of the trial against him.
- (III). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue bail-writ as per this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

P.S./-

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

