

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 37230 of 2021

Arising Out of PS. Case No.-84 Year-2020 Thana- TIKAPATTI District- Purnia

JANARDAN YADAV @ JODHAN YADAV Son of Late Bechan Yadav
Resident of Village - Purani Nandgola, P.S.- Tikapatti, Distt.- Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Bhola Prasad, Advocate

For the Opposite Party/s : Mr Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, *APP*) appearing for the State of Bihar.

The petitioner seeks bail in Tikapatti Police Station (for brevity, *PS*) Case No 84 of 2020 instituted for the offence punishable under Sections 302, 201/34 of Indian Penal Code.

There is allegation that informant's daughter has been killed by her younger son-in-law, co-accused Ram Swaroop @ Ravi Roshan along with the petitioner and other accused persons. The prosecution case alleges that prior to the killing, threats had been meted out.

Learned counsel for the petitioner submits that petitioner's implication is false and based on extraneous



considerations. In fact, in the investigation based on statement of some persons, it has emerged that the husband of the deceased was having illicit relations with the petitioner's daughter-in-law regarding which the informant's daughter was raising objection. Apparently, the killing or suicide has occurred in the midst of such dispute between the victim, her husband and her sister. Being the father-in-law, petitioner and his other family members have been implicated on extraneous consideration. Having no criminal antecedent, it is stated that the petitioner has now remained in custody since 04.12.2020.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in Tikapatti PS Case No 84 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also



undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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