

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32698 of 2020

Arising Out of PS. Case No.-107 Year-2017 Thana- SISWAN District- Siwan

Raj Nath Yadav, aged about 62 years, Sex-Male, Son of Lutawan Yadav,
Resident of Village - Purusotam Mura, P.S.- Siswan, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Pandey, Advocate
For the State : Mr.Dilip Kumar No.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-01-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Siswan
P.S. Case No. 107 of 2017 registered for the offences punishable
under Sections 304(B), 201/34 of the Indian Penal Code.

The prosecution case in brief is that one Ramsunar
Yadav, son of Late Kamdhan Yadav of village Gudrihata, P.S.-
Siswan, District- Siwan filed a written complaint before the
S.H.O.,Siswan Police Station alleging that her daughter Lalsha
Devi was married on 14.06.2011, with the co-accused Umesh
Yadav according to Hindu rites and rituals and after sometime of
the marriage, the accused persons started assaulting and tort
uring her for it, that her daughter often used to inform about it,
that on 02.07.2017 at about 6.00 P.M., he received information



that the in-laws have eliminated his daughter for dowry and performed last rites towards south of the village, that on this information, he went to her daughter's house and found that it was locked and all the persons had fled away, that he went towards south of the village and found that the dead body was being burnt, that information claims that the accused persons under conspiracy killed his daughter and burnt the dead body to conceal the evidence.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that the husband of the deceased has been acquitted by the court below itself and petitioner is in jail custody since 16.10.2019 and petitioner has got no any criminal antecedent mentioned in paragraph-3 of the bail petition and petitioner is the father-in-law of the deceased.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Siwan-X in connection with Siwan P.S. Case No. 107 of 2017, subject to the following conditions :



(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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