

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1883 of 2021

Arising Out of PS. Case No.-162 Year-2017 Thana- CHOUTARWA District- West
Champaran

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UPENDRA YADAV Son of Yamuna Yadav Resident of Village- Haldi
Nadwa, P.S.- Chautarwa, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks from the date of restoration of normalcy.

The petitioner is apprehending his arrest in a case
registered under Sections 302/34 of the Indian Penal Code.

Allegation is that the informant's daughter was
married with Nanu Yadav ten years ago and unfortunately said
Nanu Yadav had died. Thereafter informant's daughter Sita Devi
was living there, but the accused persons used to assault her
daughter and told her to kill. On 7.9.2017 at 2 p.m. the accused
persons killed the daughter of the informant by way of



strangulation.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The informant is not an eye witness to the alleged occurrence. The witnesses in paragraph Nos.17, 18 and 19 of the case diary have stated that the deceased had committed suicide. At best, it is a case for an offence under Section 306 of I.P.C. and no offence under Section 302 of I.P.C. is made out against the petitioner and others.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned A.C.J.M., Bagaha, District West Champaran in connection with Chautarwa P.S. case No.162 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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