

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40423 of 2020**

Arising Out of PS. Case No.-47 Year-2019 Thana- TERHAGACHH District- Kishanganj

VIJAY YADAV, SON OF LATE JAGDEV YADAV, RESIDENT OF
VILLAGE DHAVELI, POLICE STATION TERHAGACHH, DISTRICT
KISHANGANJ

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the State : Mr. Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

4 14-06-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through video
conferencing.

The petitioner seeks regular bail in connection with
Terhagachh Police Station Case No. 47 of 2019, registered for
the offences punishable under Sections 302/120-B/34 of the
Indian Penal Code.

The allegation, as per the First Information Report, is
that the petitioner, along with his daughter and wife, committed
the murder of his son-in-law, with whom the daughter of the
petitioner was having inimical relation.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case merely on the



basis of the suspicion inasmuch as the daughter of the petitioner was married to the deceased and the deceased had solemnized second marriage, for which the daughter of the petitioner had lodged a case. He next submits that in course of investigation, no material has come against the petitioner to connect him with the present offence except the suspicion raised by the informant. He next submits that from perusal of the impugned order, it appears that the learned Court below, while rejecting the prayer for bail of the petitioner, has not given any reason and did not find any material against the petitioner and at the same time, the learned Court below has granted bail to the daughter of the petitioner, having similar allegation. He next submits that the petitioner is in custody since 17.06.2020 and charge sheet has been submitted against him and, as such, there is no chance of the petitioner being abscond or tamper with the evidence.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that except suspicion raised by the informant in the First Information Report, there is no material against the petitioner and further the wife of the deceased, i.e. the daughter of the petitioner has been granted bail by the learned Court below itself, I am inclined to grant regular bail to the petitioner.



This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Kishanganj, in connection with Terhagachh Police Station Case No. 47 of 2019.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required, and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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