

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24066 of 2021

Arising Out of PS. Case No.-167 Year-2020 Thana- BACHHWARA District- Begusarai

RAM PRAVESH YADAV S/O BUDHAN YADAV @ BUDHAN R/O
VILLAGE SHIBUTOL, P.S.-BACHHAWARA, DISTRICT-BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Adv.

For the Opposite Party/s : Mr.s Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 17-01-2022 The matter has been listed today for consideration
through virtual mode.

Heard learned counsel appearing on behalf of the
petitioner as well as learned Additional Public Prosecutor
appearing for the State.

Let the defect(s) be removed within two weeks of
the complete start of the physical Court in normal course.

Petitioner who is in custody since 12.10.2020 seeks
bail in connection with Bachhawara P.S. Case No.167/2020
registered for the offence punishable under Section 302, 201,
120(B)/34 of the IPC.

Prosecution case in brief, is that on 12.08.2020, the
brother of the informant went to his *sasural*, but he did not
return till late night. On the next day, the informant received an
information that dead body of someone was hanging on a tree



near *Santosh Chimni Bhattha*. On receipt of the said information, the informant went there and saw that his brother was hanging on the tree with *gamcha* tied in his neck. The informant has alleged that the wife of his brother, father-in-law, mother-in-law and 3-4 unknown persons have committed the murder of his brother.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is the father-in-law of the deceased and he has no connection with the alleged murder of his son-in-law. He further submits that the place of occurrence is 6/7 KM away from the village of the petitioner. Petitioner has falsely been implicated by the informant, who is the brother of the deceased and they were on inimical terms.

Learned APP for the State opposes the prayer for grant of bail to the petitioner.

Considering the above-mentioned facts and circumstances of the case, prima facie it appears that the deceased was found hanging at an abandoned place, near *Santosh Chimni Bhattha*, which is 6/7 KM away from the village of the petitioner, petitioner is the father-in-law of the deceased and there being no direct allegation against the petitioner as well as there is no eye witness nor there is



allegation of tampering the evidence or influencing the witness, the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/-(Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Bachhawara P.S. Case No.167/2020, subject to the following conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Purnendu Singh, J)

Prakash Narayan /-

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