

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17528 of 2022

Arising Out of PS. Case No.-36 Year-2021 Thana- PIPRIYA District- Lakhisarai

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Mannu Yadav @ Abhimanyu Yadav Son of Rajeshwari Yadav Resident of
Village - Murwariya, P.S.- Pipariya, District - Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Suresh Singh, Advocate

For the Opposite Party/s : Mr.Raj Kishore Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 16-08-2022 Heard learned counsel for the petitioner and
learned APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is in custody in connection with
Pipariya P.S. Case No. 36 of 2021 under sections 302, 201, 34
of the Indian Penal Code.

As per the allegation in the FIR, the informant has
alleged that his sister Sohita Devi was married to Lalan Yadav
and the couple was blessed with three children. However, she
was regularly tortured. On 27.03.2021, he got information that
his sister has been killed and they had disappeared the body.
When he reached the place, his maternal son Gulshan Kumar
informed him that 'Papa' (father) (Dada), father-in-law and



(Dadi) mother-in-law have killed his mother.

Learned counsel for the petitioner submits that he is brother-in-law of deceased, had separated from his brother by metes and bounds in 2016 itself and the same has been corroborated by Annexure-2 to the petition. He further submits that at best there is allegation in the later part that he played no role in disappearance of the body for which Section 201 of the Indian Penal Code is attributed. He lastly submits that he is in custody since 24.12.2021 and has no criminal antecedent.

The learned counsel for the State submits that the allegation against him is that of disappearance of body after alleged killing.

Taking into account the aforesaid facts that he is brother-in-law of the deceased, as per Annexure-02 to the main bail application, had separated from his brother in 2016, is in custody since 24.12.2021 and the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of Judicial Magistrate-1st Class, Lakhisarai (Bihar), in connection with Pipariya P.S. Case No. 36 of 2021 subject to the following conditions:



(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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