

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25370 of 2022

Arising Out of PS. Case No.-176 Year-2021 Thana- HULASGANJ District- Jehanabad

NAWAL YADAV, S/o Late Tulasi Yadav Resident of Village- Bechua Bigha,
P.S.- Hulasganj, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar, Advocate

For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-08-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

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

The petitioner is in judicial custody in connection
with Hulasganj P.S. Case No.176 of 2021 instituted under
Sections 498(A)/304(B)/34 of the Indian Penal Code.

As per the allegation in the FIR, Mukesh Yadav
alleged that on 20.10.2021, his sister has been killed by her in-
laws including Vinod Yadav as also her sister-in-law beside the
present petitioner, the father-in-law, Nawal Yadav. The reason
behind the said killing, he has alleged was demand of
motorcycle, golden chain and Rs.50,000/- which he was unable
to pay and for which his sister was regularly beaten.
Accordingly, the aforesaid FIR was registered against the



accused persons.

Learned counsel for the petitioner submits that he is father-in-law and has absolutely no role to play in the dispute between the couple. He further submits that he is in jail since 15.01.2022 (as stated in para-11 of the bail application) as also the fact that the husband is in jail since 2022.

Taking into account the fact that petitioner is the father-in-law, the husband is in jail as per the statement made by the learned counsel for the petitioner, the charge-sheet stands submitted, this Court is inclined to grant him privilege of bail. If, however, it is found that wrong statement has been by the learned counsel for the petitioner regarding the husband being in jail the bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Hulasganj P.S. Case No.176 of 2021 to the satisfaction of learned Judicial Magistrate, Ist Class, Jehanabad, subject to following conditions:

(i) one of the bailor should be the family member 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 cancellation of his bail by the Trial court itself;

(iii) the petitioner 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)

Prakash Narayan /-

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