

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26268 of 2022**

Arising Out of PS. Case No.-77 Year-2020 Thana- BAKHTIYARPUR District- Patna

Nagina Yadav @ Nagina Singh S/o Shree Singh R/o village- Mogalpur, P.S.-
Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate

For the Opposite Party/s : Mr. Atul Chandra, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 02-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within a period of four weeks from today.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 364 of the Indian Penal Code and subsequently Sections 306, 201/34 of Indian Penal Code were added vide order dated 27.09.2021.

According to prosecution case, as per written report is that the informant's daughter Ganita Devi was married with Vijendra Yadav 10 years ago. The informant has given Rs.3,50,000/- at the time of marriage and he could not give a motorcycle due to that Vijendra Yadav, Arvind Kumar, Udit Kumar, Goga Yadav, Chhote Yadav, Rikhiya Kumari and



Sukhiya Devi killed his daughter.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact the petitioner is father-in-law of the deceased and petitioner has no concern at all with the family affairs of the deceased and his son. He further submits that it appears from Annexure-2 of the bail petition that the petitioner living separate from his son in the year 2018.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bakhtiyarpur P.S. Case No. 77 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date



fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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