

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56971 of 2021

Arising Out of PS. Case No.-108 Year-2021 Thana- NAUTAN District- Siwan

SHRI KISHUN YADAV @ KISHUN YADAV Son of Late Shivpujan Chaudhary @ Pujan Chaudhary Resident of Village - Khap Mishrauli, P.S.- Nautan, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr.Vinod Shanker Modi, App

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 29-03-2022 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 302, 201/34 of the Indian Penal Code.

Informant who is father of the deceased has alleged in his fardebyan that his daughter Krishnawati Devi was married to accused Sushil Yadav eight years before but she was being subjected to torture due to non-fulfillment of demand of dowry. Effort was made for reconciliation but they did not agree and on 26.05.2021 at about 05:00 p.m., he received information that FIR named accused have killed his daughter by strangulation.

It is submitted that petitioner is innocent and has no concern with the affairs of the deceased or his family. Petitioner

is the cousin father-in-law of the deceased. Deceased died to Corona and she was suffering from last one week and the informant was present during funeral and subsequently he has instituted the FIR. The marriage was solemnized in the year 2010 and from said wedlock, two children were also born. It is further submitted that father-in-law and mother-in-law of the deceased have already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 15.02.2022 passed in Cr. Misc. No.56540 of 2021. Petitioner has no criminal antecedent and he is in custody since 28.05.2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Nautan P.S. Case No. 108 of 2021, with 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 and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond

shall be cancelled by the court below.

(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.

(S. Kumar, J)

Sanjay/-

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