

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3957 of 2023

Arising Out of PS. Case No.-159 Year-2022 Thana- ALOULI District- Khagaria

MUKESH YADAV Son of Mahendra Yadav Resident of Village- Giddha,
P.S.- Alauli, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302/34 of
the Indian Penal Code.

As per FIR, the allegation against the petitioner
along with co-accused persons is that they committed murder
of the informant's daughter.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is husband of the deceased due to which he has
falsely been implicated in this case. There is no specific
allegation of committing murder attributed against the
petitioner rather general and omnibus allegation attributed



against him. It is further submitted that no consistent evidence has been found against him. He has got no criminal antecedent. From perusal of postmortem report, doctor opined cause of death is asphyxia due to strangulation (hanging). The petitioner suo motu surrendered on 26.08.2022 and since then he is languishing in judicial custody.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Alauli P.S. Case No. 159 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria.

(Sunil Kumar Panwar, J)

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