

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33633 of 2023**

Arising Out of PS. Case No.-298 Year-2022 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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VIJAY KUMAR YADAV @ VIJAY KUMAR S/O KISHORI YADAV R/O
VILLAGE- KATHAUTIYA (NEEMA), P.S- MAGADH MEDICAL, DISTT.-
GAYA.

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar , Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-07-2023 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 406, 467, 468, 471,
120(B) of the Indian Penal Code.

3. Allegation against this petitioner is that he along
with other co-accused persons prepared fake death certificate of
the informant's son namely Manish Kumar which bears
signature of Mukhiya and Sarpanch and death certificate was
issued by Patna Municipal Corporation.



4. It is submitted that petitioner is own brother-in-law of the informant. As a matter of fact, the present case has been lodged on the basis of an application submitted by sister-in-law (Bhawah) of the petitioner namely Munni Devi with whom, petitioner is on litigating term from before Munni Devi had illicit relationship with few persons of her maika and as a result of which she murdered her husband Ajay Yadav with assistance of those persons and threw the dead body near the eastern boundary wall of Magadh Medical College and Hospital, Gaya for which father of the petitioner lodged an F.I.R Magadh Medical P.S. Case No. 67 of 2015 dated 24.05.2015 u/s 302, 201, 34 of the I.P.C . against Munni Devi and other persons against whom charge sheet was also submitted vide Charge Sheet No. 112/2015 dated 21.08.2015 and this present case is lodged only with a view to save her skin from that case. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on 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 of Chief Judicial Magistrate, Gaya in connection with Magadh Medical P.S. case no 298 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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