

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34202 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

1. JAY PRAKASH YADAV SON OF LATE BUTAN SINGH RESIDENT OF VILLAGE- SABALPUR BEHRA, PS- UDWANTNAGAR, DISTT- BHOJPUR , ARA
2. RADHESHAYAM YADAV SON OF LATE BUTAN SINGH RESIDENT OF VILLAGE- SABALPUR BEHRA, PS- UDWANTNAGAR, DISTT- BHOJPUR , ARA
3. MUNSHI YADAV SON OF LATE BUTAN SINGH RESIDENT OF VILLAGE- SABALPUR BEHRA, PS- UDWANTNAGAR, DISTT- BHOJPUR , ARA
4. SAWRU SINGH @ SAWRU YADAV SON OF LATE BUTAN SINGH RESIDENT OF VILLAGE- SABALPUR BEHRA, PS- UDWANTNAGAR, DISTT- BHOJPUR , ARA
5. KAVITA DEVI WIFE OF SAWRU YADAV RESIDENT OF VILLAGE- SABALPUR BEHRA, PS- UDWANTNAGAR, DISTT- BHOJPUR , ARA
6. SHUSHILA DEVI @ LILA DEVI WIFE OF JAY PRAKASH YADAV RESIDENT OF VILLAGE- SABALPUR BEHRA, PS- UDWANTNAGAR, DISTT- BHOJPUR , ARA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-07-2023 Heard the parties.

The petitioners apprehend their arrest in connection with Udwantnagar P.S. Case No. 48 of 2023 for the offence punishable under Sections 302, 201/34 I.P.C lodged on 31.01.2023 by the informant Bhageran Yadav.

As per the prosecution story, the allegation in the FIR



is that Pappu Yadav married the deceased which took place nine years ago and three children were born out of the said wedlock. However, the said accused was having some kind of illicit relationship with petitioner no. 5 which was opposed by the wife that led to the said occurrence as is alleged in the FIR.

It is the case of the learned counsel for the petitioners that all these petitioners are Father-in-law, Mother-in-law, cousin Father-in-law and cousin Mother-in-law, although there is allegation against the Cousin Mother-in-law of the deceased of having relationship with Pappu Yadav, the same was exaggerated and lastly it is the undertaking of the learned counsel for the petitioner that on 07.06.2023, the husband Pappu Yadav has surrendered.

Learned APP opposes the prayer.

Taking into account the aforesaid facts as also that none of the petitioners have criminal antecedent, FIR lodged and ultimately will have to face the trial, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioners, in the event of their arrest or surrender within a period of four weeks from the date of the receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount



each to the satisfaction of learned Chief Judicial Magistrate Bhojpur at Ara, in connection with Udwanthnagar P.S. Case No. 48 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the bail application is



allowed.

(Rajiv Roy, J)

 jyoti/-

U			
---	--	--	--

