

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51911 of 2022

Arising Out of PS. Case No.-125 Year-2022 Thana- KADWA District- Katihar

=====

LAKHAN YADAV SON OF LATE HARILAL YADAV R/O VILLAGE-
MOHNA GHORA TOLA, P.S.- KADWA, DISTRICT- KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Md. Musowir, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 25-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 302 of the Indian Penal Code but the police after investigation submitted charge sheet against the petitioner under Section 306 of the Indian Penal Code.

According to prosecution case, on 29.04.2022, the informant received information on his cell phone that his sister namely, Sandhya Devi has been killed by her husband (petitioner) by pressing her neck. Thereafter the informant went to matrimonial home of his sister and found that his sister is lying dead.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that it appears from the F.I.R. that there is no demand of dowry against the petitioner and it has come in investigation that the deceased had committed suicide herself and the petitioner is husband of the deceased, so he has falsely been implicated in the present case. The petitioner is in custody since 30.04.2022.

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, be released 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 below where the case is pending in connection with Kadwa P.S. Case No. 125 of 2022, subject to 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)

amit/-

U		T	
---	--	---	--

