

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57307 of 2022

Arising Out of PS. Case No.-549 Year-2021 Thana- SHERGHATI District- Gaya

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BALRAM YADAV @ KAPIL YADAV SON OF KAILASH YADAV
FATEHPUR KARHARA, P.S.- DOBHI AND DISTT.- GAYA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SURESH YADAV, S/O MAHESHI YADAV, R/O VILLAGE JHAJ TOLA,
GOSHWAN, P.S. DHANGAI, DISTRICT GAYA.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 05-07-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 498(A), 364, 120(B) of the Indian Penal Code.

As per the prosecution case, sister of the informant was married with this petitioner 20 years ago and out of wedlock, three male children were born, but after few years of marriage, the relationship between the couple became bitter, as the petitioner had illicit relation with another lady, for which, always scuffle took place between the couple and thereafter, sister of the informant was assaulted and dragged out of the matrimonial house by petitioner. However, the matter was settled after intervention of informant and other well-wishers. It



is further alleged that sister of informant was being tortured by petitioner and his family members and as such, informant suspects that petitioner and others might have abducted or killed his sister, who is still traceless.

It is submitted on behalf of petitioner that petitioner had very cordial relation with his wife (sister of informant), who was mentally weak and due to that, she went out from the house and did not return and despite hectic search made by the petitioner, the victim lady could not be located. It is further submitted that during course of investigation, all the three children were examined and none of them supported the prosecution case, but only with a view to harass the petitioner, the informant has lodged this false and concocted case. Petitioner has got clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances as well as statement of the children of petitioner recorded during investigation, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 learned Additional Judicial Magistrate, Sherghati,
Gaya / concerned court in connection with Sherghati (Dobhi)
P.S. Case No. 549 of 2021, subject to condition as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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