

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72906 of 2022

Arising Out of PS. Case No.-470 Year-2022 Thana- AKBARPUR District- Nawada

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1. PRAMESHWAR YADAV S/O MOHAN YADAV R/v- Dhanbara, P.S.- Akbarpur, District- Nawada
 2. BIRBAL YADAV S/O PARMESHWAR YADAV R/v- Dhanbara, P.S.- Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 19-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for bail in a case registered for the offence punishable under sections 302, 201,34 of the Indian Penal Code.

As per allegation in the FIR, petitioner along with his family members has tortured in various ways to the sister of the informant and ultimately she was being killed by the accused persons including the petitioners and with a view to wipe out the evidence they are trying to cremate the dead body but the same was recovered by the police and sent for postmortem.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner no. 1 is father-in-law and petitioner no. 2 is brother-in law of the deceased. They have been falsely implicated in this case. In fact, deceased committed suicide by drowning herself in *aahar* after 14 years of marriage because of her husband denied to take her to Kolkata. Petitioners are residing separately from the family of the deceased since 2015. The sole responsibility to take care of wife is upon husband and not against his family members. In this case, chargesheet has been submitted by the police u/s 306 of the IPC and not u/s 302 IPC. Similarly situated other accused persons have already been enlarged on bail by another coordinate Bench of this Court vide order dated 23.5.2023 passed in Cr. Misc. No. 14876 of 2023. Petitioners have got no criminal antecedent and are languishing in judicial custody since 5.9.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned



ACJM 1st, Nawada in connection with Akbarpur P.S. Case No.
470 of 2022.

(Sunil Kumar Panwar, J)

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