

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68292 of 2022

Arising Out of PS. Case No.-412 Year-2014 Thana- BARACHATTI District- Gaya

MAHAVIR YADAV S/o Dahu Yadav R/o Village- Dantar- Lerhho (Ledho),
P.S.- Jodi (Joridh), Distt- Chatra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ramchandra Sahni, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 328 and 201/34 of the Indian Penal Code.

The prosecution case, in short, is that on 23.08.2014, the informant received an information that his daughter/victim namely, Sitwa Devi has died who was married with co-accused Nago Yadav before 25 years. Thereafter, informant went to her *Sasural* where her dead body was lying at the *Baramda* of the house and local persons told him that his son-in-law Nago Yadav had beaten his wife and later on administered poison to her due to which she died.

It is submitted by learned counsel for the petitioner that the petitioner is brother-in-law of the husband of the deceased.



He is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case because he is the *Bahnoi* of the husband of the deceased. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He further submits that petitioner is 71 years old and is almost a blind person. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Barachatti P.S. Case No. 412 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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