

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8292 of 2024

Arising Out of PS. Case No.-2 Year-2023 Thana- CHANDI District- Bhojpur

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SONALAL YADAV S/O- VAKEEL YADAV @ WAKIL YADAV R/O-
VILLAGE- BHADVAR, P.S.- CHANDI, DIST.- BHOJPUR.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. JAGNARAYAN YADAV S/O- LATE TAJIYA YADAV R/O- VILLAGE-
BAMPALI, P.S.- UDWANT NAGAR, DIST.- BHOJPUR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar
For the Opposite Party/s : Mr.Raj Kishor Singh

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 27-03-2024 This is the second attempt of the petitioner for grant

of bail as earlier the application of the petitioner was rejected

vide order dated 24.05.2023 passed in Cr. Misc. No. 29049 of

2023.

2. Heard learned counsel for the petitioner and

learned APP for the State.

3. The petitioner seeks bail in connection with

Chandi P.S. Case No. 02 of 2023 registered for the offence

under Sections 304B/34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner is the

husband of the deceased and he is alleged to have killed the



deceased.

5. The petitioner is in jail since 2.1.2023.

6. It has been submitted by the learned counsel for the petitioner will co-operate in the trial and the application of the petitioner may be considered on the ground that he has a child of eight months who is staying in his family.

7. Considering the aforesaid facts and the period of custody, this application is allowed. 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 ACJM, V, Bhojpur at Ara in connection with Chandi P.S. Case No. 02 of 2023.

8. At the time of accepting the bail bonds of petitioner, the Court below is directed to verify the statement of the petitioner that the child is staying with the petitioner's family. If the trial Court finds that the child is staying with the petitioner's family then the bail bonds of the petitioner shall be accepted and if the trial Court finds that the child is not staying with the petitioner's family then the bail bonds of the petitioner shall not be accepted by the Court below.

9. It has also come in the report that the father of the petitioner is not appearing in the trial Court.



10. In these circumstances, the trial Court is directed to take appropriate legal steps for appearance of the father of the petitioner.

11. If the petitioner is released on bail then he is directed to co-operate in the trial either by appearing personally or through his lawyer in the trial Court on each and every date fixed by the trial Court. Non-compliance of the condition will result in cancellation of the bail bonds of the petitioner.

(Sandeep Kumar, J)

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