

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27721 of 2024

Arising Out of PS. Case No.-202 Year-2021 Thana- NIMCHAKBATHANI District- Gaya

1. Bachan Yadav son of Late Krishna Yadav Village- Balmat Bigha PS- Islampur District- Nalanda
2. Satyendra Yadav son of Late Krishna Yadav Village- Balmat Bigha PS- Islampur District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 22-08-2024 This pre-arrest bail petition already stood dismissed as withdrawn in respect of petitioner no. 2 (Satyendra Yadav), vide order dated 08.05.2024.

2. The petitioner (Bachan Yadav) apprehends his arrest in a case registered for the offence under Sections 302, 201/34 of the Indian Penal Code.

3. As per the prosecution case, on 12.11.2021 at about 6:00 AM, the informant heard that one dead-body of a female is lying near Barghi Asthan. On receipt of such information, the informant went there and saw that it was the dead-body of his daughter. The informant alleged that last night, his son-in-law namely Manish Kumar took away his daughter for some cultural programme, but they did not return. It is further alleged that marriage of deceased (informant's daughter) was solemnized on



13.03.2021 with co-accused Manish Kumar and after the marriage, it is alleged that all the accused persons including this petitioner committed torture with informant's daughter. It is next alleged that co-accused Manish Kumar also threatened to solemnize second marriage with another lady and as such, informant suspects that all the accused persons have committed the murder of his daughter.

4. Learned counsel for the petitioner submits that petitioner is father-in-law of the deceased and there is general and omnibus allegation against him. As per F.I.R. itself, specific accusation is against husband of the deceased i.e. co-accused Manish Kumar, who had gone to the house of informant in night and took the deceased with him for some cultural programme at village, and on the next morning, the dead-body of deceased was found. It is not the case of the informant that this petitioner was present alongwith co-accused Manish Kumar and only suspicion has been raised against him. During investigation, no tangible material has come to show complicity of the petitioner in the aforesaid crime. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.



6. Considering the aforesaid facts and circumstances, let the petitioner namely Bachan Yadav, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Nimchak Bathani P.S. Case No. 202 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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