

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57470 of 2024

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

Satyendra Yadav S/O Late Krishna Yadav R/O Village- Balmat Bigha, P.S-
Islampur, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-08-2024 Heard Mr. Sunil Kumar, learned counsel for the

petitioner and learned Additional Public Prosecutor for the

State.

2. The petitioner seeks regular bail, who is in custody
in connection with Neemchak Bathani P.S. Case No. 202 of
2021 registered for the offences punishable under Sections 302
and 201/34 of the Indian Penal Code.

3. Based upon the written report, the prosecution
alleges that on receipt of an information that a dead body of a
girl is lying near Aahar (pond), the informant along with
villagers went there and found dead body of his daughter whose
marriage was solemnized with accused Manish Kumar. It is
further alleged that in the last night, the son-in-law of the
informant came to his house and took away his daughter and



thereafter the dead body was found. Suspicion has been raised that all the FIR named accused persons including the petitioner by making a conspiracy killed the daughter of the informant.

4. It is contended on behalf of the petitioner that the petitioner has been implicated in this case on account of he being cousin father-in-law of the deceased-daughter of the informant. The petitioner has neither any concern with the affairs of co-accused Manish Kumar and his family nor there is allegation in the FIR, barring the suspicion. It is further contended that the petitioner has been residing separately with the family of the informant since 2005. Moreover, even as per the allegation, it appears that the deceased was taken away by co-accused Manish Kumar. The petitioner is in custody since 28.04.2024 having clean antecedent and now the investigation of the crime is complete and the charge-sheet has been submitted.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that the marriage of the deceased was solemnized on 13.05.2021 and she was done to death just within six months of her marriage.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire case



is based upon suspicion and moreover there is no material available on record that the petitioner was instrumental in taking away or causing death of the deceased. Only on account of the petitioner being cousin father-in-law of the deceased his name has been implicated in this case. Now the investigation of the crime is complete; apart from the fair antecedent of the petitioner, let the petitioner, named above, be released 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 Judicial Magistrate, 1st Class, Gaya in connection with Neemchak Bathani P.S. Case No. 202 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.



(v) The court below shall verify the criminal antecedent of the petitioner and, in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

rohit/-

U		T	
---	--	---	--

