

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5914 of 2015

Arising Out of PS.Case No. -158 Year- 2014 Thana -GOPALPUR District- BHAGALPUR

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Kumodi Yadav S/O Late Rajendra Yadav Resident of vill-Bhawanipur,P.S-
Gopalpur(Rangra),Distt-Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 22-04-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 364, 302 and 201 of the Indian Penal Code.

The allegation is that Bipin Yadav, son of the informant, and Bhola Yadav did not return and later on, the informant came to know that both of them have been abducted by the petitioner along with other accused and it also came to her notice that the dead bodies of both of them have been thrown in the Koshi river.

Learned counsel for the petitioner submits that the petitioner has been implicated in this case due to enmity. Prior to the occurrence, the petitioner had lodged Gopalpur P.S. case no. 117 of 2014 for the kidnapping of his brother and later on, it was found that he was killed. The deceased Bipin Yadav, son of the informant, was one of the accused in that case. It has been further submitted that Ritesh Yadav and Arun Yadav, who were also named in the F.I.R., have been granted bail. He has also submitted that it cannot be a case of confession leading to recovery as from the statement of the informant it appears that it was known to her

that the dead bodies of his son and his friend have been thrown in the river.

Learned counsel for the State submits that after lodging of the F.I.R. the petitioner was arrested and he confessed his guilt before the investigating officer and at his instance the dead bodies have been recovered and identified by the petitioner. The petitioner is a veteran criminal and has a long list of 13 criminal cases against him.

Considering the facts and circumstances, in my opinion, the petitioner does not deserve bail. His prayer for bail is rejected.

Let the trial of the petitioner in Gopalpur P.S. case no. 158 of 2014 be expedited.

(Amaresh Kumar Lal, J)

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