

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6104 of 2016

Arising Out of PS.Case No. -163 Year- 2015 Thana -RAJAUN District- BANKA

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1. Pankaj Yadav S/o Hari Yadav Resident of village - Alipur, Police Station
Rajoun, District - Banka..... Petitioner

Versus

1. The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Madhuranand Jha, (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 05-04-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Rajoun P.S.
Case No. 163 of 2015 registered for the offences punishable under
Sections 341, 323, 364/34 of the Indian Penal Code in which
Sections 302 and 201 of the Indian Penal Code were added later
on.

Allegedly, the petitioner and co-accused Sharwan Yadav
lifted the wife of the informant in presence of son of the informant
after causing threat to the son of the informant and thereafter, both
took away the wife of the informant and later on her dead body
was recovered.

Submission is of false implication and that the manner
of occurrence as alleged is not the true version, the prosecution
story appears not reliable and probable, the occurrence is of

02.08.2015 but the FIR has been lodged on 03.08.2015, the doctor who has conducted the post mortem has found the dead body in advanced stage of decomposition and no opinion regarding the cause of death has been given and as such the petitioner deserves sympathetic consideration to which the learned APP opposes by submitting that the son of the informant being an eye witness has supported the allegation.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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