

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55099 of 2015

Arising Out of PS.Case No. -69 Year- 2015 Thana -ROH District- NAWADA

Deoki Yadav, son of late Chhotu Yadav, resident of village - Garhara, P.S.
Roh, Dist - Nawada.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Gauri Shankar Prasad
For the Opposite Party : Mr. Z.Abedin(App)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 03-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is an accused in connection with Roh P.S.
Case No. 69 of 2015, registered under Sections 302 and 201/34 of
Indian Penal Code, pending in the Court of J.M. 1st Class, Nawada.

The allegation of informant, namely, Urmila Devi is that
on 15.08.2015 in the evening her husband Rajendra Yadav was
grazing she-buffalo in the south of the village. At that time, Deoki
Yadav (Petitioner) along with family members and others were
engaged in the funeral ceremony of his son Surendra Yadav. The
petitioner and others caught hold of her husband and started assaulting
him by means of Khanti and Lathi. When the informant rushed to
rescue her husband then she was also assaulted and after causing the
death of her husband, they thrown the dead body of her husband in the

pyre of Surendra Yadav.

Learned counsel appearing on behalf of the petitioner submits that in fact Surendra Yadav, son of the petitioner, was murdered by the husband of the informant one day before the alleged occurrence regarding which Roh P.S. Case No. 68 of 2015 is instituted against the husband of the informant and others and only to save the skin, the informant has lodged this false case against the petitioner and others.

Learned counsel for the State vehemently opposed the prayer of the petitioner for bail with submission that in paragraph nos. 18 and 19 of the case diary, witnesses have also supported the prosecution regarding causing the death of the husband of the informant by means of Lathi and Khanti and throwing the dead body on the pyre of Surendra Yadav by the petitioner and others.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, prayer of the petitioner, above named, is rejected.

(Rajendra Kumar Mishra, J)

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