

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29595 of 2016

Arising Out of PS.Case No. -154 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)

- =====
1. Jitendra Yadav Son of Jai Ram Yadav Resident of Village- Sondhi, P.S.- Mohania, District- Kaimur (Bhabua).
 2. Rama Nand Yadav Son of Sudarshan Yadav Resident of Village- Jurwa Rampur, P.S.- Bhabua, District- Kaimur (Bhabua).

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Kumar Sunil, Advocate.

For the Opposite Party : Mr. Pranav Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 04-10-2016 Heard both sides.

The petitioners apprehend their arrest in Mohania P.S. Case No. 154 of 2016 registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

The informant alleged that his brother Sunil Yadav, the deceased was driving the tractor of Ravindra Yadav who was Sarhu (brother-in-law) of Sunil Yadav. Ravindra Yadav and Sunil Yadav were dealing in husk, but on the date of occurrence Sunil Yadav did not return and during course of search, the dead body of Sunil Yadav was found in a field.

Learned counsel for the petitioners submits that petitioner no. 2 is Sala (brother-in-law) of the deceased and petitioner no. 1 is nearest relative. Save and except suspicion, there is no material against

the petitioners. The petitioners never brought Sunil Yadav to their house, but according to the allegation Ravindra Yadav brought Sunil Yadav from his house and thereafter his dead body was found in a field.

It is further submitted that Kanchan Kuer, wife of the deceased, was confined in a room and she was forced to make statement before the police, but when she was let off by the informant, Kanchan Kuer disclosed that her husband was killed by his brother, in order to grab the land of the share of her husband, because she is issueless. Kanchan Kuer filed an affidavit to this effect, but from perusal of the case diary, it appears that Kanchan Kuer in paragraph-17 and Guddi Kuer the sister of the deceased alleged that Ravindra Yadav took Sunil Yadav from his house. Some day ago Ravindra Yadav had a quarrel with the deceased for eve teasing of a girl and that is why Ravindra Yadav with the help of the petitioners killed her husband. Similar is the statement of the sister of the deceased. Lal Dhari Yadav has also stated the same facts and the offence appears to be very serious in nature.

Considering the facts aforesaid and seriousness of the allegation, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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