

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39933 of 2017

Arising Out of PS.Case No. -121 Year- 2017 Thana -MURLIGANJ District- MADHEPURA

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1. Radahakant Yadav, Son of Kamlesh Wari Yadav, Resident of Village-
Tamout Parsa, P.S.-Murliganj, District-Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Adv.
Mr. Ashok Kumar, Adv.

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 02-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
08.05.2017 in connection with Murliganj P.S. Case No. 121 of
2017 for offences punishable under Sections 302, 201/34 of the
Indian Penal Code.

The prosecution case, as lodged by the Choukidar, is
that a dead body of un-known person was found and his hands,
legs and neck were tied up.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent not
named in the First Information Report. He submits that his
confessional statement made before the police has no evidentiary



value in the eye of law and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

On the other hand, learned APP for the State opposes the prayer for bail stating therein that the dead body has later been identified by deceased's Father Chandeshwari Singh to be of Rahul Kumar, as is evident from the case diary, who used to visit petitioner's brother's home for tuition of son of Amresh Kumar and that the daughter of the petitioner was having love affair with the said Rahul Kumar, the deceased was called in the maize field and was brutally murdered by the petitioner along with others.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage.

Application is accordingly rejected.

(Nilu Agrawal, J)

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