

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45668 of 2016

Arising Out of PS.Case No. -31 Year- 2009 Thana -BABUBARHI District- MADHUBANI

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Binod Yadav, Son of Mani Lal Yadav, Resident of Village- Jhanjha Patti,
P.S.- Khutauna, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party : Mr. Ahmad Ali(APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-01-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Babubarhi
P.S. Case No. 31 of 2009 instituted for the offence under Sections
302, 201/34 of the Indian Penal Code.

It is alleged in the written report that this petitioner
who is husband of the deceased along with other accused persons
after committing murder of the deceased with sharp weapon, put
the dead body on the railway track with intention to screen the
evidence. It is mentioned in the written report that witnesses
Rameshwar Yadav, Upendra Yadav, Ramashish Yadav,
Durganand Yadav, Shyamsunder Yadav and Ram Bilas Roy had
told that deceased has been murdered by Binod Yadav (petitioner)



along with other accused persons as mentioned in the written report.

Carbon copy of the case diary has been received. The witnesses namely, Ramadhin Yadav, Hansa Devi in paragraph-82 and 83 of the case diary have stated that this petitioner with other family members had committed torture with the deceased. The police have mentioned in para-2 of the case diary that after talking with villagers, they told that the deceased was tortured by her husband (petitioner) and other family members. Petitioner is husband of the deceased.

Therefore, this court is not inclined to enlarge the petitioner on anticipatory bail. Accordingly, his anticipatory bail petition is hereby rejected in connection with Babubarhi P.S. Case No. 31 of 2009, pending in the court of Judicial Magistrate-1st Class, Madhubani.

The petitioner is directed to surrender before the court below within four weeks from today and seek regular bail which shall be disposed of in accordance with law without being prejudiced by this order.

(Sanjay Priya, J.)

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