

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7389 of 2017

Arising Out of PS.Case No. -118 Year- 2016 Thana -GAYGHAT District- MUZAFFARPUR

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Raju Yadav @ Raju Kumar Yadav, Son of Maheshwar Yadav, resident of
Village- Loma, P.S.- Gaighat, District- Muzaffarpur..... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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

ORAL ORDER

3 03-04-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Gaighat P.S. Case
No. 118 of 2016 registered for the offences punishable under
Sections 376, 302, 201/34 of the Indian Penal Code.

As per the first information report, the petitioner and others
forcibly kidnapped Geeta Devi, the sister of the informant, and
thereafter, it was informed that Geeta Devi was killed and her
dead body was thrown in sugarcane field. It appears that after
committing rape she was killed and the accused has left his
slipper, gamcha and mobile.

Submission is of false implication and that during
investigation other fact has come, the petitioner has confessed his
guilt wherein he has stated that he has committed the offence
alone, the witnesses have also stated that the deceased has given



some money to the petitioner and the petitioner has returned some amount and some was dues and to pay that amount the petitioner called the deceased and killed her. Witnesses Jaital Devi, Neetu Kumari, Reena Devi, Rinku Devi, Sampolia Devi and other witnesses have stated regarding the hands of the petitioner in killing the deceased. Besides suspicion there is nothing against the petitioner.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that from the place of occurrence the Gamcha of the petitioner was recovered which was identified by the witnesses as of the petitioner, as per confessional statement of the petitioner, corresponding injury has been found and post mortem report corroborates the same. The deceased died due to asphyxia as a result of pressure over the neck and further injury no. 1 was caused by hard and blunt object and injury no. 2 to 4 were caused by sharp cutting weapon.

In the facts and circumstances stated above, 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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