

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.13098 of 2018**

Arising Out of PS.Case No. -109 Year- 2017 Thana -PARWATTA District- KHAGARIA

=====

Gautam Kumar Yadav, Son of Anil Yadav, Resident of Village- Naya  
Gawon, P.S.- Parbatta, District- Khagaria.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Sri Shantanu Kumar, APP

=====

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**

**ORAL ORDER**

**3      06-04-2018**

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Section 363 IPC and  
later on Sections 364,302/34 IPC has been added.

It is submitted by the petitioner's counsel that the  
dead body which has been recovered cannot be said to be that of  
Sunny Kumar as from the medical report it is apparent that it was  
in a highly decomposed condition.

On going through the case diary it appears that the  
recovery of the dead body has been made on the basis of  
confessional statement of Avinash Kumar@Mintu Kumar as also  
this petitioner and the father of the deceased has identified the  
body on the basis of cloth which have been recovered along with



the dead body.

Considering the gravity of the allegation, this court,  
for the present is not inclined to grant bail to the petitioner.

The prayer is rejected.

**(Madhuresh Prasad, J)**

Prakash/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

