

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55162 of 2017

Arising Out of PS.Case No. -82 Year- 2017 Thana -UDAKISHANGANJ District- MADHEPURA
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1. Dani Yadav son of Late Chhedi Yadav Resident of Village - Uda, Police Station - Uda Kishunganj, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 09-01-2018

Heard the counsels for the parties.

The petitioner seeks bail in connection with Uda-Kishunganj P.S. Case No. 82/2017 dated 06.06.2017 instituted for the offences under Sections 302 and 201 of the Indian Penal Code.

The petitioner is the informant of this case. He has alleged that in the night of the occurrence, his niece was getting married and he along with other members of the family had gone to the place of marriage in the same village. The deceased, who is the younger daughter of the petitioner (informant), had also gone to the place of marriage, but she had come back early. When the petitioner along with his wife and elder daughter came back home, he did not find the deceased at home; rather her dead body was found in a maize field in the village somewhere near the house of the petitioner. On such statement of the petitioner, the subject F.I.R. was registered and the investigation proceeded.



During the course of the investigation, one Manish Kumar was arrested and he disclosed before the investigating agency that he was having love affairs with the deceased. In the night of the marriage of the niece of the petitioner, at the instance of the deceased he had come to the maize field and was talking to her. In the meantime, the petitioner (father of the deceased) was seen coming towards the maize field side. Spotting the petitioner, the deceased told aforesaid Manish Kumar to run away. However, the petitioner is said to have dragged away the deceased by pulling her hair and at that time he appeared to be in a rage. On the next day, the dead body of the deceased was found. Such statement has been made under Section 164 of the Cr. P.C. also by aforesaid Manish Kumar. The petitioner, thereafter, was made an accused in this case.

During the course of investigation, other villagers have also supported the aforesaid version of Manish Kumar.

Considering the circumstances and the materials collected during the course of investigation, this Court is not inclined to grant bail to the petitioner for the present.

The prayer for bail of the petitioner is thus rejected.

(Ashutosh Kumar, J.)

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