

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12614 of 2019

Arising Out of PS. Case No.-156 Year-2018 Thana- PANDAUL District- Madhubani

MUNNA KUMAR YADAV @ MUNNA YADAV, Male, aged about 19 years,
Son of Sajjan Yadav, Resident of village-Fatehpur, Belahi, P.S. Pandaul,
District-Madhubani.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Md. Soban Asghar, Advocate.
For the Opposite Party : Mr. Atul Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 19-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
12.09.2018 in a case for the offence registered under Sections
302 and 201/34 of the IPC.

The prosecution story, in brief, is that the husband of
the informant had gone in the evening to attend the party with
his friends on a *Ranger Cycle* but he did not return in the night.
In the morning, the informant came to know that a dead body
was lying at the pond and when she went there, identified the
dead body of her husband, *Ranger Cycle* was also lying by side.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.



Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has come in the present case in course of investigation. On the confession of the petitioner, broken piece of bottle of wine as well as blood stained broken bottle which was used for committing murder of the deceased was recovered from the place of occurrence. The same is evident from paragraph no. 29 of the case diary.

On behalf of learned counsel for the State, it has been submitted that although the petitioner is not named in the F.I.R. but in course of investigation, his name has come in the present case and he confessed his guilt and on his confession, broken piece of bottle of wine as well as blood stained broken bottle which was used for committing murder of the deceased was recovered from the place of occurrence.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with CRI Case No. 1838 of 2018, arising out of Pandaul P.S. Case No. 156 of 2018, pending in the court of learned C.J.M. Madhubani.



The learned court below is directed to take all necessary steps to expedite the trial and conclude the same as early as possible, preferably, within a period of nine months from the date of receipt/production of copy of this order.

(Sudhir Singh, J)

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