

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56249 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- PRATAPGANJ District- Supaul

SANJAY YADAV S/o Satya Narayan Yadav R/o Village- Belhi, P.S.-
Pratapganj, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 18-12-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections 364/34, 302, 201 of the Indian Penal Code.

The prosecution case in brief is that the daughter of the
informant alongwith her son was disappeared and later on, the
dead body of grandson of the informant was found buried.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 11-04-2019. Charge sheet has
already been submitted. The petitioner has been falsely
implicated in the present case. There is no eye witness to the
alleged occurrence nor there is circumstantial evidence to



suggest the implication of the petitioner in the present case. The name of the petitioner transpired in this case on the basis of self-confession of the petitioner made before the police u/S 161 of the Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. The petitioner is said to be second husband of the deceased. It is a case of double murder. The confession of the petitioner has been recorded in paragraph 52 of the case diary. In the said statement, he has admitted that after committing murder, the dead body of his second wife (deceased) was burnt and disposed of. The son of his second wife was also done to death and was buried 800 metres away from the house of the petitioner. On the basis of information made by the local Chowkidar, in presence of the other family members, the dead body of son of petitioner's second wife was recovered from the earth. This fact is admitted by the petitioner in his confession. The recovery of the dead body from the earth corroborates with the confession of the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Pratapganj



P.S. Case No. 30 of 2019 is rejected.

The court below is directed to take all possible steps to
conclude the trial of the petitioner at the earliest.

(Sudhir Singh, J)

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