

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56132 of 2019

Arising Out of PS. Case No.-100 Year-2019 Thana- MURLIGANJ District- Madhepura

Jitendra Yadav Son of Panuk Yadav Resident of Village - Beside Banmankhi
Bus Stand, Police Station- Banmankhi, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 18-12-2019

Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Murliganj PS Case
No. 100 of 2019 dated 19.03.2019 instituted under Section 364
of the Indian Penal Code.

3. The allegation against the petitioner and other
unknown is of killing the son of the informant.

4. Learned counsel for the petitioner submitted
that the present is only a case of last seen as nobody is witness
to the petitioner killing the son of the informant. It was
submitted that the witnesses have also stated that the deceased
was seen with Ritlal Yadav and Kailash Yadav and one other
person on the same night when he is said to have left the house



of the petitioner and, thus, it cannot be said that the petitioner was the culprit. Learned counsel submitted that the petitioner lives 50 kilometres away from the house of the deceased in the district of Purnea and has no criminal antecedent being in custody since 24.03.2019.

5. Learned APP submitted that there is specific allegation against the petitioner that he was the person who had taken away the deceased with him on the fateful night after which neither did he return nor anything is known about him. It was submitted that the petitioner not having any explanation as to what happened after he had gone from the house of the informant along with the deceased is itself a strong indicator that the petitioner was involved in the entire episode and had full knowledge of the same.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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