

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23080 of 2020

Arising Out of PS. Case No.-452 Year-2019 Thana- BARHARIA District- Siwan

GOVIND YADAV Son of Manshi Yadav @ Munshi Resident of Village -
Babhanbara, Police Station - barharia, Daraunda, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Nath Rai,
Mr. Bijay Prakash Singh, Advocates.
For the Opposite Party/s : Mr. Nawal Kishore Prasad (A.P.P)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 04-11-2020 Heard Mr. Prabhakar Nath Rai, learned counsel for
the petitioner and Mr. Nawal Kishore Prasad, Additional Public
Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with
Barharia PS Case No. 452/2019 registered for the offence
punishable under Sections 302, 120(B) of the IPC.

3. The allegation against the petitioner as per First
Information Report is that the informant along with her
husband, namely, Baijnath Yadav and the children and the
petitioner, Govind Yadav (brother-in-law of informant) had
come from Delhi on 22.12.2019. It is further alleged that on
24.12.2019, while informant was at her home at about 7:00 PM
in the evening, the petitioner called husband of the informant



who accompanied the petitioner. The petitioner at about 11:00 PM in the night came back and when the informant asked about her husband, the petitioner told her that her husband had left the place before him. It is further alleged that informant saw blood stains on the jacket and sweater of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and no incriminating material has been recovered from the possession of the petitioner and there is no direct evidence to connect the petitioner with the present offence. Learned counsel for the petitioner further submits that petitioner has been implicated in this case on the basis of suspicion only.

5. On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for bail of the petitioner and submits that from perusal of the confessional statement and the postmortem report of the deceased, it would be evident that confessional statement of the petitioner corroborates the injury found on the dead body of the deceased.

6. Learned counsel for the State further submits that the deceased had accompanied the petitioner and in the close proximity the dead body of the deceased was found.

7. Having regard to the submissions made by the



parties and taking into consideration the material on record, I am not inclined to grant regular bail to the petitioner at this stage. Accordingly, the prayer for bail of the petitioner is, hereby, rejected.

8. Petitioner, if so advised, may renew his prayer for bail after one year from today, if the trial does not show any progress.

(Anil Kumar Sinha, J)

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