

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 54686 of 2019

Arising Out of PS. Case No.-75 Year-2019 Thana- KHAJAULI District- Madhubani

SANJAY KUMAR YADAV, S/o Kapildeo Yadav @ Kapildev Yadav, Resident of Village- Inarwa, P.S.- Khajauli, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 77648 of 2019

Arising Out of PS. Case No.-75 Year-2019 Thana- KHAJAULI District- Madhubani

SANTOSH KUMAR @ SANTOSH KUMAR YADAV, S/O Ram Parikshan Yadav, R/O Village- Inarwa, P.S.- Khajauli, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 54686 of 2019)

For the Petitioner/s : Mr.Krishna Prasad Singh, Adv.

: Mr. Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

(In CRIMINAL MISCELLANEOUS No. 77648 of 2019)

For the Petitioner/s : Mr.Bimal Kumar, Adv.

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-02-2020 Heard learned counsel for the petitioners and learned APP for the State.

As per Cr. Misc. No. 54686 of 2019 and Cr. Misc. No. 77648 of 2019 arising out of same P.S. Case and both are taken together for disposal.

The petitioners seek regular bail in connection with



Khajauli P.S. Case No. 75/2019, G.R. No. 845/2019, registered for the offence punishable under Sections 364, 302/34 of the Indian Penal Code.

The prosecution case is that the daughter of the informant was missing after going to natural call later on dead body of the victim was found hanging on the tree.

Learned counsel for the petitioners submits that both the petitioners are not named in FIR after investigation their names transpired and except confessional statement of co-accused as well the call details, there is nothing against them. It has been further submitted that the material comes during investigation also discloses that there was love affairs between one Nand Kishore Yadav and the deceased. The petitioners are in custody since 25.05.2019. So far as petitioner Santosh Kumar is concerned and he is in custody since 17.09.2019.

Learned counsel for the informant has opposed the prayer for bail on the ground that in confessional statement of Sanjay Kumar Yadav discloses that the petitioner Santosh Kumar has also held the leg of the deceased. Thereafter, both the petitioners and other accused persons hanged the dead body. Call details also shows that petitioners were in touch with each other and the other accused Nand Kishore Yadav who was in



constant in touch with the deceased.

Heard learned APP also.

Considering the submissions and discussion made above, I am not inclined to enlarge the petitioners in both the cases on bail.

Accordingly, both the applications are dismissed with liberty to the petitioners to renew his prayer for bail once charge has been framed.

(Vinod Kumar Sinha, J)

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