

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7084 of 2020

Arising Out of PS. Case No.-63 Year-2016 Thana- CHANAN District- Lakhisarai

SANJAY YADAV, Son of Bindeshwar Yadav, Resident of Village - Goddih,
P.S.- Chanan, Distt - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Kumar, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 26-02-2021 Heard Mr. Bhola Kumar, learned counsel for the
petitioner and Mr. Zainul Abedin, learned Additional Public
Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Chanan P.S. Case No. 63 of 2016, registered for the offences
punishable under Sections 302, 201 and 34 of the Indian Penal
Code 1860.

The allegation as per the First Information Report is
that the daughter of the informant was married with the
petitioner about 20 years ago and on 10.06.2016, when the
informant came to meet his daughter namely, Kabo Devi, she
was not found in her matrimonial home and the son of the
petitioner disclosed that on 2.6.2016, the petitioner killed his
mother after strangulating her neck and with the help of other



co-accused persons, the dead body of his mother was concealed.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case inasmuch as the alleged deceased was a person of weak mind and she had left the house on the date of occurrence and did not return. Learned counsel further submits that the statement of the child witness i.e. the son of the petitioner and deceased, aged about 10 years, was recorded during investigation and from perusal of the same, it appears that he has not supported the prosecution case regarding the killing of the daughter of the informant. Learned counsel also submits that confessional statement of the petitioner was recorded by the Police which does not inspire confidence and no details about the murder of the alleged victim has been recorded in the confessional statement of the petitioner. Learned counsel next submits that the petitioner is in custody since 23.07.2019.

This Court by an order dated 29.05.2020 had called for a report from the trial court regarding stage of trial and in pursuance thereof, the learned 4th Additional District Sessions Judge, Lakhisarai, has furnished the report vide letter dated 16.6.2020 and from perusal of the same, it appears that the case



was fixed on 16.07.2020 for framing of charge.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 23.07.2019, I am inclined to grant regular bail to the petitioner **after framing of charge.**

Accordingly, let the petitioner, above named, be released on regular bail, **after framing of charge**, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Lakhisarai/conerned court, in connection with Chanan P.S. Case No. 63 of 2016,

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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