

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18773 of 2020

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

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Santosh Kumar @ Santosh Kumar Yadav S/o Ram Prikshan Yadav, R/o
village- Inarwa, P.S.- Khajauli, District- Madhubani. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar
For the Opposite Party/s : Mr.Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 22-01-2021 Heard learned counsel for the petitioner and learned

counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Khajauli P.S. Case No. 75 of 2019 registered for offence punishable under sections 364, 302, 34 of the Indian Penal Code.

As per FIR, allegation has been made that on 20.05.2019 at about 7:30 P.M., the daughter of the informant had gone for natural call but she did not return to her house. Upon this, the informant and others started searching the victim girl. During that searching, a call was given to the victim girl whereupon she informed that she was at canal and she will be killed and thereafter her mobile switched off. After that, the informant started searching and during searching it transpired that one girl was hanged on the tree where the informant reached and found that the dead body of his daughter was



hanging on the tree. The informant has made a suspicion that his daughter was kidnapped by unknown persons and they killed his daughter.

During investigation, the name of the petitioner transpired, inasmuch as the petitioner had earlier moved before this Court in Cr. Misc. No. 77648 of 2019 and this Court, vide order dated 06.02.2020, rejected the bail application of the petitioner with the liberty to renew his prayer for bail after framing of charge.

Learned counsel for the petitioner submits that charge has been framed by the court below vide Annexure-3 and he further submits that one Sanjay Kumar Yadav had moved along with the petitioner for grant of bail and his bail prayer was also rejected on the same day but in different case. He further submits that the petitioner is in custody since 17.09.2019 having no criminal antecedent.

Looking to the period of custody and the observation given in the above case, let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of A.D.J.-IX, Madhubani in connection with Khajauli P.S. Case No. 75 of 2019, subject to the condition that



one of the bailors of the petitioner shall be his close relative.

The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

In case of failure on two consecutive dates, the court below will have liberty to pass an order including cancel the bail of the petitioner.

(Shivaji Pandey, J)

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