

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34918 of 2021**

Arising Out of PS. Case No.-502 Year-2020 Thana- GHOSI District- Jehanabad

Upendra Yadav Son Of Jaimangal Yadav R/O Village- Bajitpur, P.S.- Ghoshi
(OKARI O.P.), Dist.- Jehanabad

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 25-10-2021 Heard learned counsel for the petitioner, the State and
the informant.

The petitioner seeks regular bail in Ghoshi (Okri)
Police Station Case No. 502/2020 registered for the offences
punishable under sections 379/302/34 and other allied sections
of the Indian Penal Code.

As per the prosecution case, this petitioner and other
accused persons on the point of pistol entered the house of the
informant, snatched ornaments, cash and took away his minor
daughter whose dead body was found subsequently.

Learned counsel for the petitioner submits that the
instant case is an example of honour killing in which petitioner
himself has killed his daughter and implicated the petitioner as
the victim was in love with the one Udit and when in October
2020 she eloped with said Udit, informant caught her and killed



her and falsely implicate the entire family of the petitioner. Learned counsel refers to section 164 Cr.P.C. statement (Annexure 3) of the deceased recorded earlier in connection with Ghoshi (Okri) Police Station Case No. 375 of 2018 in which the victim has stated that she was in love with Udit and her mother used to assault her on this. Petitioner is in custody since 10.12.2020.

Learned counsel for the State and the informant oppose the prayer for bail and submit that the doctor in post mortem report has not ruled out commission of rape on the victim which falsifies the theory of honour killing. Multiple injuries were also found on the body of the deceased.

Considering the rival submissions of the parties, materials available on the record and the gravity and nature of allegation, prayer for bail of the petitioner is refused.

As the petitioner is in custody since 2020, let the trial be expedited and concluded as early as possible.

(Prabhat Kumar Singh, J)

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