

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30101 of 2020

Arising Out of PS. Case No.-66 Year-2020 Thana- PRATAPGANJ District- Supaul

1. DHRUV YADAV @ DHRUV NARAYAN YADAV S/o Late Mahavir Yadav R/o Vill.-Gangsayar, P.S.-Pratapganj, Distt.-Supaul.
2. Sanjay Kumar Yadav @ Sanjay Yadav S/o Dhruv Narayan Yadav R/o Vill.-Gangsayar, P.S.-Pratapganj, Distt.-Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y. C. Verma, Sr. Adv. Mr. Arun
For the Opposite Party/s	:	Ms. Madhuri Lata
For the informant	:	Mr. Arun Kumar Jha.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 12-01-2021 Heard learned Senior Counsel for the petitioners, learned Counsel for the informant and learned Additional Public Prosecutor for the State.

The petitioners seek regular bail in connection with Pratapganj Police Station Case No. 66 of 2020, registered for the offence punishable under Sections 302/201/34 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that the son of the informant (now deceased) was having love affairs with the grand-daughter of petitioner no. 1 and daughter of petitioner no. 2 and on 22.05.2020, the petitioners had threatened the informant of dire consequences if



his son would not stop talking to the daughter of petitioner no. 2. It has further been alleged that in the night of 23.05.2020, the deceased had a talk with the daughter of petitioner no. 2 and in the next morning, the dead body of the deceased was found near canal.

Learned Senior Counsel for the petitioners submits that the petitioners have falsely been implicated in this case on the basis of suspicion only and no material is there to connect the petitioners with the alleged killing except the fact that there was love affairs between the deceased and the daughter of petitioner no. 1. He further submits that the *post mortem* examination of the dead body of the deceased was conducted at 01:10 PM on 24.05.2020; whereas from the First Information Report, it would be evident that the information regarding murder of the deceased was given to the police at 3 PM on 24.05.2020. He further submits that the petitioners are in custody since 16.06.2020.

On the other hand, learned Additional Public Prosecutor and learned Counsel for the informant vehemently oppose the prayer for bail and submit that this is a case of honour killing and just before the dead body of the deceased was found, the petitioners had threatened the informant of dire



consequences.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioners are in custody since 16.06.2020 and charge sheet has already been submitted against the petitioners and there is no apprehension that the petitioners will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, namely, above named, be released on bail, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Birpur, Supaul, in connection with Pratapganj Police Station Case No. 66 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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