

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29933 of 2020

Arising Out of PS. Case No.-124 Year-2020 Thana- SIMRI District- Buxar

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KANHAIYA SINGH @ KANHAIYA YADAV Son of Ramdeni Yadav
Resident of Village - Nagpura, P.S. - Simari, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdish Prasad, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 04-01-2021 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Simri P.S. Case No. 124 of 2020 registered under section 365 of the Indian Penal Code which was later converted to sections 302, 201 and 34 of the Indian Penal Code.

As per allegation in the FIR, the three year old daughter's son of the informant who was playing nearby suddenly disappeared and in spite of search, was not to be found.

It is submitted by learned counsel appearing for the petitioner that the name of the petitioner transpired in course of investigation. The petitioner was taken into custody where he is alleged to have confessed before the police leading to the recovery of the dead body. It is further submitted that for sake of argument, even if the confession of the son of the informant is accepted, it is



submitted that he states therein that it was he who committed the murder of the grand-son of the informant and no overt act is alleged against this petitioner. At best the allegation against this petitioner is that he had agreed with his son that they would dispose of the dead body. It is submitted that the allegation against this petitioner is false. He has no criminal antecedent and is in custody since 4.5.2020. Charge sheet has already been submitted in the case.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the confessional statement of the son of the petitioner made before the police together with charge sheet having been submitted in the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Simri P.S. Case No. 124 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, IV, Buxar.

(Partha Sarthy, J)

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