

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31482 of 2020

Arising Out of PS. Case No.-207 Year-2020 Thana- RANIGANJ District- Araria

GURUDEO YADAV @ GURUDEO KUMAR YADAV Son of Upendra
Yadav Resident of Village - Kala Baluwa, P.S.- Raniganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 11-01-2021 Heard both sides.

The petitioner seeks bail in Raniganj P.S. case No.
207/2020 registered u/s 302, 201, 120B, 379/34 of the IPC.

The brother of the deceased disclosed that petitioner called his brother, Manish Chaurasia, for mortgaging his maize crops filed and his brother went to the house of Gurudev Yadav, the petitioner after taking Rs. 80,000/- but his brother did not return. The informant rang his brother on his mobile Nos. 6200380563 and 7549827313 but both the Nos. were found switched off. The informant went to the house of petitioner to enquire about his brother but the petitioner and his family members did not give any satisfactory reply and started abusing the informant. On enquiry, the witnesses disclosed that petitioner along with his family members took the deceased



towards maize field but thereafter the deceased did not return. During the course of search the dead body of deceased was found lying in the maize field of Chunilal Sah.

The learned counsel for the petitioner submits that petitioner is innocent. There is no eye witness of the occurrence. Nobody has seen the petitioner committing the murder of the deceased. The dead body of the deceased was found in the maize field of Chunnilal Sah. The petitioner is not the owner of Gamcha found near the dead body of deceased.

The learned APP opposed the prayer for bail and submitted that Rajendra Murmu is eye witness of the occurrence and he stated in paragraph 9 of the case diary that petitioner and his family members, namely, Subodh Yadav and Upendra Yadav took the deceased towards maize field but the deceased never returned from the maize field. During the course of search, the dead body of deceased was found in the maize field of Chunnilal Sah. It has also come that Gamcha of the petitioner was found near the dead body of the deceased. The rope from which the deceased was strangled to death was also recovered. It has also come during the investigation that firstly the petitioner called the deceased to pledge his maize field and when the deceased went to the house of the petitioner, the



petitioner and others took the deceased to the maize field but thereafter the deceased became traceless and on search his dead body was found in the maize field of Chunnilal Sah.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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