

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4301 of 2021

Arising Out of PS. Case No.-37 Year-2020 Thana- HARNAUT District- Nalanda

1. Lakshaman Kumar Yadav
2. Jeetendra Yadav @ Jeetendra Kumar Both sons of Budhu Yadav @ Amirak Yadav Resident of Village-Telmar, P.S.-Telmar, District-Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 28-06-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioners and the State.

The petitioners pray for grant of bail in Harnaut
(Telmar) P.S. Case no. 39 of 2020 initially registered for the
offence punishable under section 363 of the Indian Penal Code
and subsequently, sections 364, 302, 120B IPC were also added.

As per prosecution case, on 31.01.2020 at about 9 p.m.,
son of the informant had gone to see the dance programme.
Thereafter, he did not return. FIR was registered against
unknown.

Petitioners are not named in the FIR. During course of
investigation, name of the petitioners transpires on the basis of



subsequent statements of the informant as well as mother of the deceased.

It is submitted on behalf of the petitioners that deceased had gone missing since 31.01.2020 and FIR was lodged on 02.02.2020 and there is no explanation for the delay. Moreover, petitioners are co-villagers and their entire family members have been implicated in this case.

However, learned counsel for the State vehemently opposed the prayer for bail and submitted that on the basis of disclosure made by the petitioners, dead body of the deceased was recovered and the witnesses in their statements have supported the prosecution case.

Considering the facts that on the basis of disclosure made by the petitioners dead body of the deceased was recovered, prayer for bail of the petitioners is rejected.

(Prabhat Kumar Singh, J)

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