

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11956 of 2022

Arising Out of PS. Case No.-283 Year-2021 Thana- JHAJHA District- Jamui

Rajendra Yadav Son of Chano Yadav R/O Village- Banjama, P.S.- Jhajha,
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 19774 of 2022

Arising Out of PS. Case No.-283 Year-2021 Thana- JHAJHA District- Jamui

Videshi Yadav Son of Prasadi Yadav R/o village- Barmasiya, P.S.- Jhajha,
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 11956 of 2022)

For the Petitioner/s : Mr.Arjun Pd. Keshri

For the Opposite Party/s : Mr.Manoj Kumar

For the Informant : Mr. Rajesh Kumar Sinha, Advocate

(In CRIMINAL MISCELLANEOUS No. 19774 of 2022)

For the Petitioner/s : Mr. Jyoti Ranjan Jha, Advocate

Mr.Pramod Kumar, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

For the Informant : Mr. Rajesh Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 29-11-2022

Cr. Misc. No. 11956 of 2022

Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.



The petitioner seeks bail in connection with Jhajha P.S. Case No. 283 of 2021 registered for the offence under Sections 302, 201, 120(B) and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 21.09.2021.

The allegation against the petitioner is to commit murder of the own daughter and son of the informant, alongwith other co-accused persons, as they performed their marriage out of their own sweet will.

Learned counsel appearing on behalf of the petitioner submitted that informant is not the eye witness of the occurrence and implication is purely based upon suspicion, as son of the informant committed suicide, with daughter of this petitioner. It is submitted that both deceased performed marriage out of their love and as informant not accepted them, they committed suicide out of said frustration. It is also submitted that nothing surfaced during the course of investigation, which may connect this petitioner with present occurrence in furtherance of suspicion, as raised through F.I.R. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.



Learned APP duly assisted by learned counsel appearing on behalf of the informant, while opposing the prayer of bail submitted that this is a case of honour killing.

Considering the facts and circumstances as mentioned above, as nothing surfaced during the course of investigation to connect this petitioner with present set of occurrence in furtherance of suspicion, as raised through F.I.R. coupled with the fact that petitioner is in custody since 21.09.2021 and moreover, charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Jhajha P.S. Case No. 283 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

Cr. Misc. No. 19774 of 2022

Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Jhajha



P.S. Case No. 283 of 2021 registered for the offence under Sections 302, 201, 120(B) and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 26.01.2022.

The allegation against the petitioner is to commit murder of the daughter of one co-accused, Rajendra Yadav and brother of the informant, alongwith other co-accused persons, as they performed their marriage out of their own sweet will.

Learned counsel appearing on behalf of the petitioner submitted that informant is not the eye witness of the occurrence and implication is purely based upon suspicion, as brother of the informant committed suicide, with daughter of one co-accused, Rajendra Yadav. It is submitted that both deceased performed marriage out of their love and as informant not accepted them, they committed suicide out of said frustration. It is also submitted that nothing surfaced during the course of investigation, which may connect this petitioner with present occurrence in furtherance of suspicion, as raised through F.I.R. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.



Learned APP duly assisted by learned counsel appearing on behalf of the informant, while opposing the prayer of bail submitted that this is a case of honour killing.

Considering the facts and circumstances as mentioned above, as nothing surfaced during the course of investigation to connect this petitioner with present set of occurrence in furtherance of suspicion, as raised through F.I.R. coupled with the fact that petitioner is in custody since 26.01.2022 and moreover, charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Jhajha P.S. Case No. 283 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

U		T	
---	--	---	--

