

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14107 of 2022**

Arising Out of PS. Case No.-389 Year-2015 Thana- SAHEBPUR KAMAL District-  
Begusarai

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Sanjay Yadav Son Of Charitra Yadav @ Charittar Yadav @ Chalitra Yadav  
Resident of Village- Farda, P.S.- Naya Ramnagar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate  
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

3      12-10-2022                      Let the defects, if any, be removed within four  
weeks from today.

Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in  
connection with Sahebpur Kamal P.S. Case No. 389 of 2015  
for the offences punishable under Sections 302, 201,34 of  
the Indian Penal Code.

The prosecution case is based on the fardbeyan of  
the informant alleging therein that while he was at Delhi for  
the purposes of labour work, he received an information on  
28.10.2015 that his wife had gone to Ballia for her



treatment on 27.10.2018 but she did not return. After getting this information the informant returned to his house on 29.10.2015 and later on 30.10.2015, he along with the family members of his Sasural started searching his wife but they did not find the wife of the petitioner. It is further alleged that on 31.10.2015, the dead body of the petitioner was found in a pond. Suspicion has been raised against unknown miscreants.

Learned counsel for the petitioner submits that in fact on the alleged date of occurrence of disappearance of his wife, the petitioner was at Delhi and when he heard about the fact of the disappearance of his wife he came to his house, which fact has not been denied by the family members of the deceased also. It is further submitted that during the course of investigation, after four years the petitioner, who was informant of the present case has been made accused only on the reason that he was not rendering any assistance in the investigation and has already been solemnized marriage and started living happily. Admittedly, after four years the petitioner has been made accused in this case and the police found the case true against the petitioner



and submitted charge sheet in the year 2021. He last submits that without there being any material on record the petitioner has been made accused after four years of the institution of this case and now he is in custody since 29.12.2021, having fair antecedent.

On the other hand, learned counsel for the State opposed the bail application and submits that during the course of investigation, materials have come which suggest the complicity of the petitioner.

Having regard to the submissions made on behalf of the parties and considering the fact that the name of the petitioner has transpired after four years of the institution of the FIR and now he is in custody for about ten month, having fair antecedent, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Begusarai in connection with Sahebpur P.S.Case No. 389 of 2015 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-



(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

**(Harish Kumar, J)**

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