

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18734 of 2022

Arising Out of PS. Case No.-126 Year-2021 Thana- MURAR District- Buxar

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1. Biresh Yadav Son Of Late Radha Mohan Yadav Resident of Village - Dangauli, P.s.- Murar, Distt.- Buxar.
 2. Umesh Yadav Son Of Late Radha Mohan Yadav Resident of Village - Dangauli, P.s.- Murar, Distt.- Buxar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 05-09-2022 Heard Mr. Krishna Prasad Singh, learned Senior
Counsel for the petitioners, the informant and the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under Section 302, 201/34
I.P.C., in connection with Murar P.S. Case No. 126/2021.

That prosecution story, in brief, is that informant's
son Basant Kumar @ Daroga Yadav went out from his house to
attend call of nature but did not return home. The informant and
her family members started searching him. Later, he came to
know that his son was killed and the dead body was thrown in
the 'Khadhar' of Bishedra Singh and the same was identified



him.

On 28.07.2022, the case diary was called for which has since been received.

Learned Senior Counsel submits that save and except the confessional statement that has formed the basis for implication of the petitioners and there is nothing to show their complicity. It has further been submitted that the same has no evidentiary value. According to him, both the petitioners are in custody since 30.11.2021.

Learned counsel for the informant as also the learned APP submit that a bare perusal of the case diary and the confessional statement shows that the deceased had entered into their house and was locked in a room and upon finding the same they got enraged and assaulted him mercilessly resulting into his death.

Considering the aforesaid allegation of assault and killing of the deceased, this Court for the present is not inclined to grant them the privilege of bail which is accordingly rejected.

(Rajiv Roy, J)

Ravi/Ajay Singh

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