

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25214 of 2022

Arising Out of PS. Case No.-21 Year-2015 Thana- BELHAR District- Banka

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KAPILDEO YADAV @ KAPIL @ LITRA S/o Pritam Yadav Resident of
Village- Sardara, P.S.- Belhar, District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 05-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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

The case is registered under sections 302, 201, 34
of the Indian Penal Code, in connection with Belhar P.S. Case
No. 21 of 2015.

The prosecution case, in brief, is that the informant,
Manju Devi alleged that on 12.2.2015, some unknown persons
committed murder of her husband by slitting his throat with
sharp cutting weapon and threw his dead-body in the drainage
near Lal Bagah. When she went there, she saw the dead-body of
her husband and mobile phone was missing.

Learned counsel for the petitioner submits during the



investigation, it has come that there was talk between the petitioner and the deceased but that cannot be basis for his implication in this case and he is custody since 01.02.2022. He further submits that warrant of arrest was issued against the petitioner on 13.01.2022 whereafter he is in custody since 01.02.2022.

Per contra, the learned APP submits that from the FIR it is clear that the petitioner was found to be one of the co-accused in the present case and the fact that he has evaded arrest for such long years, the FIR being of 2015, he does not deserve especially when the trial process have been initiated.

Considering the aforesaid facts, this Court for the present is not inclined to grant him the privilege of bail which is accordingly rejected.

(Rajiv Roy, J)

Ravi/Ajay Singh

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