

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.48188 of 2021**

Arising Out of PS. Case No.-10 Year-2021 Thana- LODIPUR District- Bhagalpur

MD. YUSUF S/o MD. HASIM R/o VILLAGE-USTI, P.S-LODIPUR,  
DISTRICT-BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mrs.Rina Sinha

For the informant : Mr. Praveen Kumar, Adv.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA  
ORAL ORDER**

3      26-04-2022                      Heard the parties.

Petitioner seeks regular bail in connection with  
Lodipur PS Case No. 10 / 2021 registered under Section 302 /  
201 / 120 (B) of the IPC.

As per the first information report the petitioner had  
taken the deceased to market for purchasing on 10-01-2021 and  
her dead body was found lying in an open field on 11-01-2021  
kept in a gunny bag.

Learned counsel for the petitioner submits that  
petitioner has falsely been implicated in this case and there was  
love affair between the petitioner and the deceased. There was  
no motive for the petitioner to kill his beloved wife. He further



submits that there was marriage dispute of the deceased with her first husband and a divorce case was pending between them and there is a possibility that deceased may be killed by some other person at the behest of first husband of the deceased.

On the other hand, learned counsel for the informant submits that in close proximity of time dead body of the deceased was found inasmuch as deceased had accompanied the petitioner on 10-01-2021 for market and her dead body was found on 11/01/2021. He further submits that during the course of investigation in CCTV footage the petitioner was seen driving a motorcycle and his mother-in-law from first wife was sitting as a pillion rider and one Jute bag / sack was kept between them and dead body was found kept in jute bag and time of death as per post mortem report is between 30-42 Hours.

Regard being had to the submissions made by the parties, taking into consideration material on record, the fact that in CCTV footage petitioner was seen along with jute bag kept on his motorcycle and in close proximity of time the dead body of the deceased was found in a jute bag. The deceased had accompanied the petitioner on 10/01/2021 and her dead body was found on 11-01-2021. I am of the opinion that *prima facie* evidence has come against the petitioner during the course of



investigation, as such, I am not inclined to grant regular bail to the petitioner.

Accordingly, the prayer for grant of bail is rejected.

Learned trial court is directed to expedite the trial.

**(Anil Kumar Sinha, J)**

praful/-

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