

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48429 of 2021

Arising Out of PS. Case No.-5 Year-2021 Thana- KAJRAILICHAK District- Bhagalpur

Pari Devi Wife of Late Suman Yadav @ Mithun Yadav Resident of Village-
Chai Tola Kumrath, Police Station- Kajraili, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Manoj Kumar

For the Opposite Party/s : Ms. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed
within four weeks of start of normal functioning of the physical
court.

Petitioner seeks bail in connection with Kajraili P.S.
Case No. 05 of 2021 registered for the offences punishable under
Sections 302, 120B of the Indian Penal Code and Section 27 of the
Arms Act.

According to prosecution case, as per written report of
the informant Rubi Devi alleging therein that on 07.01.2021 in
night informant was got information on telephone that her son
Mithun Yadav @ Suman Yadav has been murdered by bullet fire in
sleeping status. On information when informant went to his son's
Sasural Village Chai Tola, Kumrath saw her son has been
murdered by bullet fire and inhaling needless. It is further alleged



that all named accused persons have caused murder of the informant son.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that there is no eye witness of the alleged occurrence and informant is not the eye witness of the occurrence. He further submits that the co-accused namely Chhotu Yadav in his confessional statement admitted that he has committed murder due to illicit relation with the petitioner. The petitioner is in custody since 05.03.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail on the basis of material available on the record and in the case diary submits that in para 10, 11, 12 and 13 it has come that due to illicit relation of the co-accused namely Chhotu Yadav with the petitioner, the Chhotu Yadav has committed murder of the husband of the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of bail to the petitioner and accordingly, the same stands rejected.

(Rajesh Kumar Verma, J)

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