

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13872 of 2023

Arising Out of PS. Case No.-177 Year-2022 Thana- YADOPUR District- Gopalganj

Vikash Kumar Yadav Son Of Lalan Prasad Yadav Resident Of Village-
Jadopur Dukhharan, P.S.- Jadopur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 10-10-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 302, 376, 511/34 of the Indian Penal Code.

It is a case of commission of murder of the wife
of the informant by the petitioner and 3-4 other accused
persons.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in this case. It is the case of the
prosecution that son of the informant informed the



involvement of the petitioner in the commission of murder of his mother but he has not stated anything to the police when the dead body was taken to the postmortem by the police which creates serious doubt about the prosecution version. The postmortem report also does not corroborate the prosecution version as the doctor has not found any external injury on the body of the deceased. The name of the petitioner has been dragged in this case since the C.D.R of the deceased suggested that deceased had regular talk with a mobile number which was registered in the name of the petitioner. There is no evidence against the petitioner except self confession before the police which has not evidentiary value in the eye of law. The F.S.L report also suggests that no metallic, Alkaloidal, Glycosidal, Pesticidal and Volatile poison could be detected. The petitioner is languishing in custody since 16.10.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.



In contra, learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner and submitted that petitioner is named in the F.I.R and he has confessed his guilt.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gopalganj in connection with Yadopur P.S. Case No. 177 of 2022.

(Sunil Kumar Panwar, J)

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