

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32158 of 2023

Arising Out of PS. Case No.-64 Year-2022 Thana- JAIPUR District- Banka

1. Gulcha Yadav, Son of Late Jamun Yadav/Mahto
2. Jayanti Devi @ Jaymanti Devi, Wife of Gulcha Yadav
Both are Resident of Village-Govind Dih, P.S.-Jaipur, District-Banka.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Md. Nurul Hoda, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 04-08-2023 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners seek bail in connection with Jaipur
P.S. Case No.64 of 2022 registered for the offences punishable
under Sections 341, 323, 307, 302 & 426 read with 34 of the
Indian Penal Code.

3. The accused/petitioners are named in the FIR and
are in custody since 06.12.2022.

4. Allegation against the petitioners is commit murder
of daughter of informant along with other co-accused
persons/family members.

5. It is submitted by learned counsel that informant is
not the eye-witness of the occurrence and entire implication is



based upon suspicion and hearsay input as he received from her daughter. It is submitted that thrust of allegation is available against the husband, who alleged to commit murder of the daughter of informant and he is in judicial custody right now. It is submitted that implication of petitioners appear only being the parents of the main co-accused, namely, Ajay Yadav, who is the husband of the deceased. It is submitted there is no allegation of demand of dowry against petitioners. It is also submitted that nothing surfaced during the course of investigation, which may suggest any incriminating circumstances suggesting involvement of these petitioners with present occurrence of murder. While concluding argument, it is submitted that investigation of this case is completed for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioners.

7. In view of above-mentioned facts and circumstances, as thrust of allegation is available against co-accused Ajay Yadav, who is the husband of deceased, where implication of petitioners appears being in-laws, coupled with the fact that charge-sheet has already submitted, where



petitioners are in custody since 06.12.2022, accordingly, the petitioners, above-named, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Banka in connection with Jaipur P.S. Case No.64 of 2022, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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