

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69067 of 2021

Arising Out of PS. Case No.-69 Year-2021 Thana- ANDHRAMATH District- Madhubani

Devendra Yadav @ Devender Prasad Yadav Son Of Late Buchi Yadav
Resident Of Village- Rauahi, P.S.- Andhramath, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

8 10-08-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner has prayed for bail in connection with
Andhramath P.S. Case No. 69 of 2021 instituted for the offence
under Sections 302 and 34 of the Indian Penal Code.

Prosecution case relate to commission of murder of
the informant's husband by the petitioner along with other co-
accused person and the reason of this offence is said to be land
dispute.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this present case
due to previous land dispute. It is further submitted that there is
no eye witness of the alleged occurrence. Moreover, he is
languishing in judicial custody since 27.06.2021.



Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that the petitioner is named in FIR. It is further submitted that during investigation vide para-27, 28 and 29 of the case diary, witnesses stated about the circumstantial evidence which goes against the petitioner and also supported the prosecution case. It is also submitted that from perusal of the seizure list, which has been annexed in this case diary in para-11 that the incriminating article which had been used as alleged in the offence i.e., one axe with blood stain and some clothes have been recovered from the house of the petitioner.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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