

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70183 of 2022

Arising Out of PS. Case No.-198 Year-2022 Thana- PHULPARAS District- Madhubani

1. LAKSHMI YADAV S/O LATE BINDESHWARI YADAV Resident of village- Kurnava, P.S.- Pato, District- Saptari, (Nepal).
2. JIBACHH YADAV S/O LATE SIFAIT YADAV Resident of village- Phulparas, P.S.- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv.

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-07-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The petitioners seek bail in connection with
Phulparas P.S. Case No. 198 of 2022 dated 28.04.2022
registered for the offence under Sections 302, 201, 34 of the
Indian Penal Code.

According to the prosecution, one female is alleged
to have been murdered by the unknown persons.

Learned counsel appearing for the petitioners
submits that the petitioners, who are of clean antecedent,
are innocent and have falsely been implicated in this case. He
further submits that the allegation, as alleged in the F.I.R., is



false and fabricated and the petitioners have not committed any offence. He further submits that there is no eye witness to the alleged occurrence and merely on the basis of suspicion, petitioners have been apprehended in this case and thereafter confession of the petitioners have been recorded before the police. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioners. The petitioners are rotting in judicial custody since 30.04.2022 and 10.06.2022 respectively.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioners and submits that the petitioner namely, Laxmi Yadav in his confession clearly stated that his daughter, who is deceased in this case, was having love affairs with one Ganesh Kumar Yadav and both of them were to marry to each other but the family member of Ganesh Kumar Yadav were not ready to perform marriage with his daughter, therefore, the deceased tried to flee away from her house and accordingly, the petitioners have assaulted the deceased badly due to which she sustained injury and died. Thereafter the petitioners have thrown her



dead body.

Considering the facts and circumstances of the case and the rival submission of the parties, this Court is not inclined to grant the privilege of bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

(Rajesh Kumar Verma, J)

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