

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74004 of 2022

Arising Out of PS. Case No.-183 Year-2022 Thana- NAYA RAM NAGAR District- Munger

SUDHAKAR YADAV @ SUDHAKAR KUMAR S/O DHANESHWAR
YADAV Resident of village- Bag Navlakha, P.S.- Naya Ram Nagar, District-
Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishor Singh

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-04-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 302, 1209B), 201, 34 of the Indian Penal Code.

Prosecution case, in brief, is that on 28.09.2022 at about 5 PM, while the informant was at her house, this petitioner alongwith co-accused Prabhakar Yadav arrived on bike and took her husband on bike and told that her husband would return after an hour, but he did not return whole night and in the next morning, dead body of informant's husband was found near pond in Naulakha Bahiyar. The informant suspects that this petitioner and co-accused Prabhakar Yadav committed the murder of her husband.



It is submitted on behalf of petitioner that there is no eye-witness to the alleged occurrence. F.I.R. has been lodged after a delay of four days and there is no explanation of delay. At best, it is a case of last seen and only on suspicion, petitioner has been made accused.

However, learned A.P.P. for the State opposed the bail petition and submitted that petitioner is named in the F.I.R. and this petitioner alongwith co-accused Prabhakar Yadav took away husband of the informant and later on, his dead body was found lying near a pond. *Post-mortem* report reveals that cause of death is throttling.

Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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