

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25055 of 2024

Arising Out of PS. Case No.-182 Year-2023 Thana- LAUKAHI District- Madhubani

Vijay Yadav S/o Jawahar Yadav R/o Village- Hariraha, Rustampur P.S.-
Laukahi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 19180 of 2024

Arising Out of PS. Case No.-182 Year-2023 Thana- LAUKAHI District- Madhubani

Nilam Devi W/o Vijay Yadav R/o Village- Hariraha, Rustampur P.S.-
Laukahi, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 25055 of 2024)
For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr.Ram Naresh Ray
(In CRIMINAL MISCELLANEOUS No. 19180 of 2024)
For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr.Rajiv Nayan

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 11-07-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in a case registered for the
offence punishable under Sections-302, 201, 120(B) of the
Indian Penal Code.

3. Jitni Devi, wife of the deceased is the informant.



She has mentioned in the FIR that her husband who was a driver in Delhi was in love with Nilam Devi (petitioner in Cr. Misc. No. 19180 of 2024) who is wife of Vijay Yadav (petitioner in Cr. Misc. No. 25055 of 2024). Nilam Devi solemnized her second marriage with the deceased and started residing with him in Delhi. Some alteration took place between Nilam Devi and the deceased. Thereafter, she hatched conspiracy with her first husband, Vijay Yadav to kill the deceased. Thereafter, at the request of Nilam Devi, the deceased came to the house of petitioner Vijay Yadav where they committed his murder.

4. It has been submitted on behalf of the petitioners that the petitioners are innocent and have falsely been implicated in this case. As a matter of fact, the informant herself committed murder of her husband and concealed the dead body in the house of the petitioners.

5. On the other hand, learned APP and learned counsel for the informant have submitted that Nilam Devi (petitioner in Cr. Misc. No. 19180 of 2024) has rendered her self-inculpatory confessional statement in which, she has narrated the entire occurrence and her confessional statement leads to recovery of sharp cut weapon by which, the murder was committed.

6. Considering the aforesaid facts and circumstances,



I am not inclined to grant bail to Nilam Devi (petitioner in Cr. Misc. No. 19180 of 2024) as her statement leads to recovery of sharp cut weapon. Accordingly, her prayer for bail is rejected.

7. So far as Vijay Yadav (petitioner in Cr. Misc. No. 25055 of 2024) is concerned, his prayer for bail is allowed and he is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Jhanjharpur, Madhubani with condition that the petitioner shall cooperate with the trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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