

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16487 of 2024**

Arising Out of PS. Case No.-531 Year-2023 Thana- AMARPUR District- Banka

Pankaj Yadav, aged about 35 years, Male, S/O Vodan Yadav, R/O Village-
Hathiya, P.S- Belhar, Distt.- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Dhananjay Pandey, Advocate
For the Informant : Mr. Ranjeet Choubey, Advocate
For the State : Mr. Naveen Kumar Pandey, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 31-07-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Amarpur P.S. Case No. 531 of 2023 dated 23.07.2023 registered
for the offences punishable under Sections 302 and 201/34 of
the I.P.C.

3. As per the prosecution case, on 23.07.2023 the
informant got information that her husband has been murdered
and his dead body was near *Dhodha Channel*. On the
information, she went there and identified the dead body with
the sign of injury on his neck. Her husband went out on
22.07.2023 at about 7.00 P.M. by his motorcycle. In the
morning, she got information about murder. Her husband had



illicit relationship with the co-accused Anita Devi. Before occurrence her husband was assaulted many times and threatened to murder by the accused and others. Lastly, she claimed that her husband was murdered by the co-accused Anita Devi and her relatives and hanged on a tree to hide the dead body.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. His name has come in the present case during the course of investigation on the re-statement of the informant. The petitioner is the brother-in-law of the co-accused Anita Devi. There is no eye witness to the allege occurrence. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 09.11.2023

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner. Learned counsel for the informant by filing a counter affidavit on behalf of the informant has submitted that the husband of the informant late Abhishek Kumar Anand had already filed a Informatory Petition bearing Case No. 493 of 2022 before the court of learned of C.J.M., Banka, alleging



allegation of harassing against the petitioner and other co-accused persons only for grabbing money and his property and when they got failed in doing so, the petitioner and other co-accused persons in a very planned manner killed the husband of the informant in a very brutal manner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka in connection with Amarpur P.S. Case No. 531 of 2023 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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