

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23798 of 2024

Arising Out of PS. Case No.-494 Year-2022 Thana- BELHAR District- Banka

Sikandar Yadav Son of Ayodhi Yadav Resident of Village- Mothabari, Police
Station- Katoriya, Dist.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Belhar P.S. Case No. 494 of 2022, instituted for the offence
punishable under Sections 302, 201/34 of the Indian Penal
Code.

3. As per the prosecution case, the petitioner along
with other co-accused persons has committed murder of the
daughter of the informant and threw her dead-body into the
water of Hanumana Dam with a view to conceal their crime.

4. Learned counsel for the petitioner submits
petitioner is the brother-in-law of the husband of the deceased.
It is submitted that the petitioner is innocent and he has been
falsely implicated in this case. It is submitted that there is no



specific allegation against the petitioner rather the specific allegation is against the husband of the deceased. Only on the basis of suspicion, the petitioner has been made accused in this case. It is submitted that no external or internal injuries were found during the post-mortem of the deceased while the opinion regarding the death was reserved till the report of Forensic Science Laboratory. The F.S.L. report shows that no Metallic, Alkaloidal, Glycosidal, Pesticidal and volatile poison was detected in the F.S.L and the cause of death was opined to be Asphyxia due to drowning after the report of F.S.L. It is submitted that petitioner lives separately from the husband of the deceased. There is no eye witness to the occurrence. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Belhar P.S. Case No. 494 of 2022, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka,



subject to condition as laid down under Section 438(2) of the
Cr.P.C..

(Khatim Reza, J)

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