

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33715 of 2024

Arising Out of PS. Case No.-142 Year-2023 Thana- Kinjar District- Arwal

Kunnu Yadav Son of Rajendra Yadav Village- Salempur, P.O. And P.S.-
Kinjar, Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 26-07-2024 The matter is heard in hybrid mode.

2. Heard learned counsel for the Petitioner, he appears virtually through video conferencing facility and learned APP for the State.

3. Petitioner seeks regular bail in connection with Kinjar P.S. Case No. 142 of 2023 dated 10.10.2023 registered for the offences punishable under Section 302 of the Indian Penal Code read with Section 34 of IPC.

4. As per the prosecution, Lakshman Yadav (informant) stated that on 08.10.2023 at about 9:00 A.M. his daughter (deceased) along with her husband, Kunnu Yadav (petitioner) handed their pet dog for caretaking and went somewhere, at 9:00 P.M. they returned back and took milk from him and went back to their rented house. On 09.10.2023 at



about 11:30 A.M. when the mother of the deceased went to her daughter's house to give milk, she saw her daughter lying dead in her room and the petitioner was nowhere to be seen and his phone was switched off as well. It is alleged that the petitioner along with others killed the informant's daughter.

5. Mr. Santosh Kumar, learned counsel appearing for the petitioner submits that there was no motive on the part of the petitioner to commit the alleged occurrence as there are two children aged eight years and six years from the wedlock of the petitioner and the deceased. It is further submitted that as per postmortem report, no visible injury except a circular ligature mark on the neck of the deceased was found, in fact, the brother of the informant namely, Alok Kumar @ Pappu Yadav was having illicit relation with the deceased and the deceased was the main witness in Paliganj Case No. 134 of 2022 and recorded her statement against her husband (petitioner) due to the said reason the petitioner has been implicated again. It is further submitted that the petitioner has been languishing in jail since 30.10.2023 and against him, the investigation has been completed. So far as technical evidence is concerned, which is the C.C.T.V. footage, in which the petitioner is said to have been seen as per prosecution, is not admissible as no proper



certification has been made regarding the said electronic evidence.

6. Mrs. Sharda Kumari, learned APP appearing for the State has opposed the prayer for bail of the petitioner.

7. Having considered the seriousness of the occurrence which relates to murder of the wife of the petitioner and admittedly, the dead body was found in the rented accommodation of the petitioner and as per postmortem report the cause of death of the deceased was opined due to smothering and strangulation and there was tensed relation between the petitioner and the deceased, in my opinion, it is not a fit case for bail to the petitioner, accordingly, his prayer stands rejected.

(Shailendra Singh, J)

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