

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34378 of 2024

Arising Out of PS. Case No.-347 Year-2021 Thana- KATORIYA District- Banka

Nikesh Yadav Son of Bino Yadav Resident of village - Kagisar, P.S.- Katoria,
District - Banka.

... .. Petitioner/s

Versus

The State of Bihar, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandan Prasad

For the Opposite Party/s : Mr.Anil Kumar

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

ORAL ORDER

2 27-06-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Katoriya P.S. Case No. 347 of 2021 dated 09.12.2021 registered for the offence/s punishable u/ss 302 and 201 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant got her daughter married with the petitioner Nikesh Yadav as per Hindu rites and custom about five years back and she gave birth to a female child out of their wedlock. The petitioner Nikesh Yadav does work as a labourer in Kolkata. On 04.12.2021, in the night, it is further alleged that the daughter of the informant was abused and assaulted by the father-in-law Bino Yadav and the mother-in-



law Rabri Devi. On 05.12.2021, the daughter of the informant and her daughter became traceless. On information, the informant along with family members went to the in-laws house of his daughter and saw that the house was locked. Thereafter, on 08.12.2021, the informant got information that the dead bodies of a lady and a child were lying in the *Pokhar*. The informant has identified the dead body. It is further alleged that the informant's daughter and his grand-daughter (*Natni*) were murdered by the petitioners.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. There is general and omnibus allegation against the petitioner. He has further submitted that the petitioner has no concern with her and he was the husband of the informant's daughter. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.09.2023.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner by submitting that the marriage between the deceased and the co-accused Nikesh Yadav was solemnized about five years back. Prior to the death of the deceased, she was abused and assaulted by the co-accused persons. It is further submitted that the anticipatory bail application has already been rejected by this court vide order dated 06.02.2023



passed in Cr. Misc. No. 60096 of 2022. It is further submitted that the post-mortem report, the opinion regarding cause of death was kept reserved and the investigation is going on. It is also further submitted that there is direct involvement of the petitioner for committing murder of the informant's daughter and his grand-daughter (*Natni*). It is case of double murder.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail.

7. The learned trial court is further directed to expedite the trial and conclude the same preferably at the earliest.

8. The application stands rejected.

(Chandra Prakash Singh, J)

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