

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36628 of 2024

Arising Out of PS. Case No.-207 Year-2023 Thana- BIHRA District- Saharsa

Satrughan Yadav Son of Late Bindeshwari Prasad Yadav Resident of Village-
Bhatrandha, P.S- Ghilat, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md Harun Quareshi, Advocate
For the Informant	:	Mr. Ashok Kumar, Advocate
For the State	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 22-11-2024 1. Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. Petitioner seeks regular bail in connection with
Bihra P.S. Case No. 207 of 2023, dated 12.11.2023, registered
for the offences punishable under Sections 364, 302, 120B and
201 of the Indian Penal Code.

3. As per the prosecution, Devanand Yadav
(informant) suspects that his son Sandil Kumar (deceased) has
been killed by accused persons Mantun Yadav and Rudal Yadav
as on 10.11.2023 at 4:30 P.M., the said accused persons took
the deceased to Bhatrandha Chowk but when the deceased did
not come back till 6:00 A.M. the informant went looking for
him and came to know that three persons had come at the said
place, took intoxicating material and quarreled amongst
themselves. It is suspected by him that the accused persons



killed his son and disappeared his dead body.

4. The main submissions advanced by learned counsel for the petitioner are that the petitioner is not named in the FIR and his name surfaced during the investigation in the statement of co-accused Rudal Yadav, except this there is no material against him and he has been languishing in jail for more than one year.

5. On the other hand, Mr. Ashok Kumar, learned counsel appearing for the informant submits that in this matter the bail prayer of three co-accused persons carrying similar nature of allegation have already been rejected by this court and during investigation the direct role of this petitioner in the commission of alleged offence has come into light and in this regard the statements of some witnesses mentioned in the paragraph nos. 34, 61 and 62 of the case diary may be perused.

6. Mr. Bhanu Pratap Singh, learned APP for the state has also opposed the bail prayer of the petitioner.

7. Considering the facts and circumstances of this case and seriousness of the allegation appearing against this petitioner from the statements of independent witnesses mentioned in paragraph nos. 34, 61 and 62 of the case diary which show that petitioner was involved in assaulting the



deceased and he has also criminal antecedent of one case lodged under N.D.P.S. Act, in my opinion, it is not a fit case for bail to the petitioner. Accordingly, his prayer stands rejected.

8. The trial court is directed to expedite the trial of the petitioner, if the same has started, if in the next six months, no significant progress is made in his trial then the petitioner may renew his bail prayer.

(Shailendra Singh, J)

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