

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37113 of 2024

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

Santosh Yadav @ Santosh Kumar Son of Pairu Yadav Resident of Village -
Mahkara, Police Station - Belhar, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 06-09-2024 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 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 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 as per the report of F.S.L. It is further submitted that police has submitted final form against all accused persons. It is further stated that similarly situated co-accused namely, Sikandar Yadav has been granted bail vide order dated 01.05.2024 passed by this Court in Criminal Miscellaneous No. 23798 of 2024. Lastly, it has been submitted that petitioner has no criminal antecedents.

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)

Sankalp/-

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