

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40730 of 2024

Arising Out of PS. Case No.-118 Year-2023 Thana- KUMAR KHAND District- Madhepura

1. BIRENDRA YADAV SON OF JAGESHWAR YADAV R/O- VILLAGE-SHIVNAGAR JAMUHA WARD NO. 5, P.S.- KUMARKHAND, DISTRICT- MADHEPURA
2. GIRWAL YADAV SON OF JAGESHWAR YADAV R/O- SHIVNAGAR JAMUHA WARD NO.- 5, P.S.- KUMARKHAND, DISTT.- MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshul, Adv.
		Mr. Umashankar Sharma, Adv.
For the Opposite Party/s	:	Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 11-11-2024 Heard Mr. Anshul, learned counsel for the petitioners
and the State.

2. The petitioners are in custody in connection with Kumarkhand P.S. Case No. 118 of 2023 for the offence punishable under sections 307, 302, 120(B) and 34 of the Indian Penal Code lodged on 11.04.2023 by the informant, Birendra Yadav.

3. As per the prosecution story, the informant (now petitioner no. 1) lodged the FIR alleging that while he was sleeping with his second wife, earlier, the local Mukhiya had threatened them of dire consequences and on the date of



occurrence, carrying arms, they opened fire which though injured the informant (petitioner no. 1), it killed his second wife. Accordingly, the FIR.

4. Subsequently, the investigation took place in the matter and it came to knowledge that it is the petitioner no. 1 (informant) who along with his brother (petitioner no. 2) led the killing of his second wife. The reason was that the second marriage was an inter-caste one and subsequently, the daughter of the petitioner no. 2 was not getting married due to this. Afraid of the said non-negotiation of marriage of the daughter, the family hatched the conspiracy which led to the killing of an innocent lady.

5. It is one of the rare cases where the investigation has been done properly and the needle has moved straightaway against these two petitioners who are brothers.

6. No relief can be extended to them, the bail application stands rejected.

(Rajiv Roy, J)

Vijay Singh/-

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