

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56835 of 2024

Arising Out of PS. Case No.-35 Year-2023 Thana- KHAIRA District- Jamui

Suresh @ Sulo Yadav @ Suro Yadav Son of Paro Yadav R/O Vill.- Manpur,
P.s.- Khaira, Dist.- jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 25-09-2024 Heard Mr. Pramod Kumar learned counsel for the
petitioner and Mr. Bharat Bhushan, learned APP for the State

2. The petitioner is in judicial custody in connection with S.T. No. 643 of 2023 arising out of Khaira P.S. Case No. 35 of 2023 for the offence punishable under Sections 302 and 201 of the Indian Penal Code lodged on 26.01.2023 by the informant, Ranjeet Yadav.

3. As per the prosecution story, the informant alleged that his sister has been killed and the body thrown in the forest by the husband (petitioner herein). Upon information, they went and saw the informant's sister lying dead in Khaira Police Station, this led to the F.I.R.

4. Learned counsel for the petitioner submits that there is no eye witness to the alleged occurrence and on mere



suspicion he has been implicated, he is 71 years of age and in custody since 02.02.2023 (para 11 of the petition)

5. Mr. Bharat Bhushan, learned APP has taken this Court to the case diary, which is the statement made by an independent witness Indu Devi in paragraph 11, according to which the couple went to the forest to cut the wood. There they had certain dispute whereafter, the petitioner killed his wife and returned to the village and informed the villagers. Thereafter, the villagers informed the police and the dead body was recovered.

6. The petitioner being the husband has lots to explain they went together to this forest, he came out without any injury, the wife was killed and he do not have any answer how the incident took place.

7. In that background, the statement of the independent witness which has been incorporated in the above paragraph become relevant, no case is made out, the bail application stands rejected.

(Rajiv Roy, J)

Ankit Kumar/-

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