

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61611 of 2023

Arising Out of PS. Case No.-204 Year-2023 Thana- BAHADURPUR District- Darbhanga

Ajay Kumar Yadav (male) aged about 20 years old, S/O Kari Yadav Village-
Ghoghiya, Ps- Bahera, Dist- Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Narayan Mahto, Advocate

For the Opposite Party/s : Mr. Nirmala Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

6 13-02-2024 Heard learned counsel for the petitioner, learned APP
for the State and perusal of the case diary.

2. The petitioner is in custody in connection with
Bahadurpur P.S Case No. 204 of 2023 registered for the
offences punishable under Sections 302, 201 and 34 of the I.P.C.

3. As per allegation in the FIR, is that informant
namely Chowkidar Kailash Paswan come to know that dead
body of a woman lying in the building of Banslal Thakur. The
said deceased was living there on rent. The Landlord namely
Banshlal Thakur told him that the petitioner used to stay with
his wife in his building for last three months, but he had not
seen the petitioner since 23.04.2023. On such facts, Chowkidar
apprehended that the petitioner might have committed murder of
his wife and fled away after leaving the dead body in the room.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case. He further submits that petitioner belongs to a poor family and he rented a room from Banslal Thakur for the purpose of study and petitioner has not paid rent of three months to the Banslal Thakur due to which dispute has been raised between petitioner and Banslal Thakur, for this reason petitioner's name has been involved in the present case. It is next submitted that from bare perusal of the postmortem report it appears that the cause of the death of victim is due to hanging and on inspection of place of occurrence it reveals that the room was closed from inside. Learned counsel for the petitioner next submits that petitioner is unmarried person and he is only 19 years old. It is necessary to mention here that police has taken signature of the petitioner on the plain paper and police himself mention the fardbayan of the petitioner. It is also submitted that petitioner is in judicial custody since 27.04.2023 and petitioner has got no criminal antecedent as stated in para 3 of the petition.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR and Case Diary, it appears that on inspection by the Investigating Officer at the place of occurrence it found that place of occurrence room was closed



from inside. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st class, Darbhanga in connection with Bahadurpur P.S Case No. 204 of 2023.

7. However, the trial court is directed to conclude the proceeding of the *framing of charge* according to law within a period of one months from the date of receipt of this order.

(Ramesh Chand Malviya, J)

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