

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21175 of 2025

Arising Out of PS. Case No.-317 Year-2024 Thana- KALYANPUR District- East Champaran

1. Subhash Yadav @ Subhash Kr. Yadav @ Suvash Yadav @ Subash Kumar Yadav, aged about 35 years, Male, Son of Gagandeo Rai
2. Gagandeo Rai, aged about 65 years (Male), Son of Late Prasad Rai Both are Resident of Village - Bahlolpur, P.S.- Kalyanpur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 20-08-2025 Heard Mr. Sunil Kumar No.III, learned counsel appearing on behalf of the petitioners and Mr. Nagendra Prasad, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Kalyanpur P.S. Case No. 317 of 2024 registered for the offence(s) punishable under Sections 103(1), 238 and 61(2) of the BNS.

3. As per the allegation made in the FIR, the petitioners along with other co-accused persons have killed the granddaughter of the informant for non-payment of dowry and thereafter they disappeared the body.

4. Learned counsel appearing on behalf of the



petitioners submitted that the petitioners are innocent and the husband of the deceased is in custody. Petitioner no.2 is father-in-law and petitioner no.1 is brother-in-law of the deceased. Petitioners have clean antecedent. Referring to paragraph no.15 of the case diary, learned counsel submitted that the main allegation is against husband of the deceased and the own mother of the deceased has denied the complicity of the petitioners. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail. He submitted that in course of investigation, sufficient material has surfaced against the petitioners and as such their complicity cannot be denied in commission of murder and disappearing the body in a clandestine manner.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the case diary and the allegation made in the FIR, I find that witnesses have supported the prosecution story and sufficient material has surfaced in course of investigation against the petitioner. Paragraph no.15 of the case diary, upon which the petitioners rely, also shows that the mother of the deceased has not denied



that the petitioners were not involved in the commission of the murder, rather she has given information that her son-in-law purchased motorcycle from the money which belonged to the deceased and that led to commission of murder. I am not inclined to grant pre-arrest bail to the petitioners. Accordingly, the present bail application stands dismissed.

(Purnendu Singh, J)

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