

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21160 of 2025**

Arising Out of PS. Case No.-103 Year-2023 Thana- ANTI District- Gaya

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Gorelal Yadav @ Gorelal Kumar S/o- Sadhu Yadav Village- Aliganj Ps-
Guraru Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Devi W/o- Gorelal Yadav @ Gorelal Kumar, D/o- Indradeo Yadav
Village- Simrahua Ps- Anti Dist- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 29-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Anti
P.S. Case No. 103 of 2023 instituted for the offence under
Sections 363, 364 & 365 of the Indian Penal Code (for short
'the IPC'P). Subsequently, Section 302 of the IPC was added.

3. The informant, residing at her maternal home with
her 2-month-old daughter, alleges that her husband-petitioner
threatened to abduct and kill her child. On 06.12.2023 at
midnight, he escaped with the infant while the informant was
asleep. When petitioner family was confronted, his family
claimed he would return after killing the child and abused the



informant's family.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09-12-2023. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case due to ongoing marital disputes and financial hardship. The informant had been living at her maternal home since 2021 and allegedly restrained the petitioner for 8 days when he came to take her back. The claim that the petitioner abducted and killed his daughter during the night lacks credibility due to implausible circumstances and delayed reporting. The recovery and identification of the child's body after several days raise serious doubts about the prosecution's version. The entire case appears to be a fabricated conspired by the informant and her family due to their unwillingness to raise a girl child and the petitioner's poor financial condition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Other witnesses have supported the prosecution case, which fact is mentioned in paragraph Nos. 27, 28, 29 & 30. Referring to



paragraph No. 16 of the case diary, it is submitted that dead body of the deceased child was recovered at the instance of the petitioner. Postmortem report suggests that cause of death due to drowning and asphyxia.

7. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, material against the petitioner in the case diary, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is hereby rejected.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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