

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81658 of 2024

Arising Out of PS. Case No.-148 Year-2024 Thana- DHANAHA District- West Champaran

J. P. Yadav @ Jay Prakash Yadav @ Jai Prakash Yadav S/O Buneelal Yadav
R/O Vill.- Dahaula, P.S- Dhanaha, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey Adv.

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Dhanaha P. S. Case No. 148 of 2024 dated 08-07-2024,
instituted for the offence punishable under Sections 103(1), 238
and 3(5) of the Bharatiya Nyaya Sanhita.

3. Allegation against the petitioner is that he took the
deceased from his house and went somewhere, last time
deceased was seen with petitioner at 6.00PM on 07-07-2024 and
thereafter his dead body was found at the door of Madan
Kushwaha.

4.Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case.It is submitted that allegation against the petitioner is that
he was last seen with the husband of the informant at about 6.00 PM on



07-07-2024 and thereafter his dead body was found at the door of Madan Kushwah. Referring to the postmortem report, it is submitted that time of death is 12-24 hours and the postmortem commenced at 2.15 PM on 08-07-2024. As per allegation, the time of death has not been corroborated with the postmortem report. It is also submitted that there is land disputed between Upendra Chaudhary and the deceased for about 3 decimals of land. There is no motive against the petitioner for committing the murder of the husband of the informant and there is no enmity between the petitioner and the deceased. There is no eye witness to the occurrence. Only on the basis of suspicion, the petitioner has been made accused in this case. Lastly, it has been submitted that the petitioner is in custody since 17-08-2024 having no criminal antecedents.

5. Learned APP for the State has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of the learned JM Ist Class, Bagaha, West Champaran, in connection with Dhanaha P. S. Case No. 148 of



2024.

7. The application stands allowed.

(Khatim Reza, J)

shyambihari/-

U		T	
---	--	---	--

