

# Dilip Kumar @ Dilip Yadav vs The State Of Bihar on 26 June, 2023

**Author: Sunil Kumar Panwar**

**Bench: Sunil Kumar Panwar**

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.15665 of 2023  
Arising Out of PS. Case No.-611 Year-2022 Thana- SHEKHPURA District-  
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DILIP KUMAR @ DILIP YADAV Son of Suresh Yadav R/o Mohalla  
-Girihinda P.S- Sheikhpura Dist- Sheikhpura  
... .. Petitioner/s

Versus

The State of Bihar  
... .. Opposite Party/s  
=====

Appearance :  
For the Petitioner/s : Mr. Sheo Jee Mishra  
For the Opposite Party/s : Mr. Umeshanand Pandit  
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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR  
ORAL ORDER

3 26-06-2023

Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 363, 302, 201, 120(B)/34 of the Indian Penal Code.

The prosecution case, in brief, is that the marriage of the informant's daughter was solemnized with one Ashish Kumar thereafter she is stated to be living separately from her husband. It is further alleged that informant's daughter had left the house in morning on 14.10.2022 and subsequently, she could not be traced out, however, it is alleged that the accused persons along with some unknown kidnapped and killed the deceased as well as her child and thrown their dead bodies in Ganga river.

Learned counsel for the petitioner submits that the Patna High Court CR. MISC. No.15665 of 2023(3) dt.26-06-2023 petitioner is innocent and has committed no offence. The petitioner is not named in the FIR and no specific overt-act is attributed against him. He has falsely been implicated in this case only on the basis of confessional statement of husband of the deceased namely, Ashish Kumar, which is inadmissible in the eye of law. It is further submitted that the dead bodies of the victim as well as her child have not been recovered yet. Similarly situated co-accused Nawal Kumar Yadav and Ranju Devi who were in-laws of the deceased, have been granted anticipatory bail by a

co-ordinate Bench of this court vide order dated 19.5.2023 passed in Cr. Misc. No. 8875 of 2023. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 8.1.2023.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sheikhpura P.S. Case No. 611 of 2022 on furnishing bail bond Patna High Court CR. MISC. No.15665 of 2023(3) dt.26-06-2023 of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura.

(Sunil Kumar Panwar, J) Amandeep/-

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