

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21744 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -KANGALI District-
WESTCHAMPARAN(BETTIAH)

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Indrajit Yadav, Son of Late Satya Narain Yadav, Resident of Village
Daptar Majhariya, Police Station: Kangali, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Adya Singh

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 20-06-2017

Heard both sides.

The petitioner seeks bail in Kangali P.S. Case No.12
of 2017 registered for the offences punishable under Sections 302
and 120B/34 of the Indian Penal Code and Section 27 of the Arms
Act.

The informant alleged that at about 11.30 in the
night Suryamukhi Devi came to his house and informed his
mother that Hari Yadav, Fariyad Ansari, Prahlad Sah, Gauri Ram,
Indrajit Yadav, the petitioner, took his father Seraj Ansari to the
house of Gauri Ram and they all fired and killed his father.

Learned counsel for the petitioner submits that the
informant is not an eye witness of the occurrence. Six persons are
alleged to have fired, but the deceased got only two injuries. The
petitioner has falsely been implicated in the case on account of



enmity. The petitioner lodged Kangali P.S. Case No.18 of 2016 under Section 307 and other Sections of the Indian Penal Code against the deceased Seraj Ansari and others. Seraj Ansari went in jail in connection with the aforesaid case and that is why the petitioner has falsely been implicated in this case. It is further submitted that the story as disclosed by the informant that even after killing the father of the informant the petitioner and other co-accused persons standing there does not appear probable and believable. The police in course of investigation did not take the statement of Suryamukhi Devi in the entire case diary.

The learned A.P.P. did not dispute these facts.

Considering the facts aforesaid and the facts that the petitioner was on inimical term with the deceased and no specific allegation is made against the petitioner, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs.10, 000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bettiah (West Champaran) in connection with Kangali P.S. Case No.12 of 2017.

Arvind/-

(Prabhat Kumar Jha, J)

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