

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12764 of 2019

Arising Out of PS. Case No.-442 Year-2015 Thana- NARPATGANJ District- Araria

VIJAY YADAV, Male, aged about 40 years, Son of Kartik Yadav, Resident of Village - Bibiganj, P.S. Narpatganj, District Araria.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Gopal Kumar Jha, Advocate.
For the Opposite Party : Mrs.Anita Kumari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-05-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 25.11.2018 in a case for the offence registered under Sections 302/34 of the IPC.

The prosecution story, in brief, is that on the alleged date and time of occurrence, while the informant was going to serve dinner to her husband, her husband told her that he will be coming within 10 minutes after meeting with Brahmdeo Sharma, but he did not return after lapse of half an hour then the informant and others went to the house of Brahmdeo Sharma and saw in the torch light that her husband was tied with rope in the house and the informant identified the petitioner and others, who were armed with deadly weapons and pistol present there



and they assaulted her husband and murdered him and on seeing the villagers and informant, they fled away towards northern side.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. No specific injury is attributed against the petitioner. General and omnibus allegation has been made against the petitioner. Other co-accused have been granted bail by another Co-ordinate Bench of the Court vide Cr. Misc. No. 20507 of 2017 order dated 03.05.2017, Cr. Misc. No. 52535 of 2017 order dated 14.11.2017 and Cr. Misc. No. 51703 of 2017 order dated 28.02.2018.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Araria, in connection with Narpatganj P.S. Case No. 442 of



2015 (G.R. No. 3488 of 2015).

(Sudhir Singh, J)

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