

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34172 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- KANKARBAG District- Patna

BAJRANGI YADAV Son of Late Mahatab Gop Resident of Mohallah-Azad Path,Gali No.2, Kankarbagh, Police Station-Kankarbagh, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 09.03.2019 in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report of Sumitra Devi submitted before the Station House Officer, Kankarbagh Police Station, to the effect that on 15.11.2018 at 5.00 P.M., co-accused Firoz Khan and Raushan Kumar called the elder son of the informant, Sonu Kumar who was working as a generator operator in the office of a Radio Station, namely, Radio Mirchi. It is further alleged that at 7.00 P.M., the informant came to know that his son was killed and his dead body was found lying in a pool of blood in



an under-construction building. Though thereafter, the victim was taken to PMCH, but the doctor declared him dead, leading to registration of FIR against unknown. Subsequently, the name of the petitioner sprang up during investigation.

It is submitted by learned counsel for the petitioner that for the occurrence of 15.11.2018, the FIR has been registered on 08.01.2019 and the petitioner was not named in the FIR. It is further submitted that the impugned order does not suggest any cogent material against the petitioner during investigation.

Learned APP for the State submits that the name of the petitioner sprang up during investigation.

Considering the delayed lodging of the case wherein the petitioner was not made accused and specific accusation has been levelled against the FIR named accused persons, moreover, the impugned order does not suggest any cogent material having been collected during investigation which necessitated for impleading the petitioner, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on 09.06.2019, on furnishing bail bond of Rs.10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned
Judicial Magistrate, 1st Class, Patna, in connection with
Kankarbagh P.S. Case No. 25 of 2019.

(Dinesh Kumar Singh, J)

Ashwini/-

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