

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34514 of 2019

Arising Out of PS. Case No.-116 Year-2018 Thana- AGIAON BAZAR District- Bhojpur

Mukesh Yadav @ Mukesh Kumar, aged about 24 years(Male) Son of Late
Shankar Dayal Yadav Resident of Village - Kukuraha, P.S.- Agiaon Bazar,
Distt - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar
For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 18-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 05.03.2019
has filed the instant application for grant of bail in connection
with Agiaon Bazar P.S. Case No. 116 of 2018 registered for the
offence punishable under sections 302 and 34 of the Indian
Penal Code.

As per the allegation in the FIR, son of the
informant was assaulted by the three accused persons and due
to which his son died.

It is submitted by learned counsel for the petitioner
that there is no eye witness to the occurrence. The allegation as
alleged in the F.I.R. are false and concocted which is also
apparent from the fact that while the F.I.R. is shown to have
been registered on 18.10.2018, the same was received in Court



on 23.10.2018. It is further submitted that five accused persons including the informant who were examined in course of trial have not supported the prosecution case. In support of this contention, learned counsel has filed certified copy of the deposition of the witnesses which is taken on record. The petitioner who is a student is in custody since 05.03.2019.

The application for bail was opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the statement of the five prosecution witnesses not supporting the prosecution case, deposition of whom have been taken on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-8th, Bhojpur at Ara in connection with Agiaon Bazar P.S. Case No. 116 of 2018.

(Partha Sarthy, J)

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