

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42507 of 2019

Arising Out of PS. Case No.-100 Year-2019 Thana- KATIHAR MUFFASIL District- Katihar

PRAKASH YADAV Son of Sikendra Yadav Resident of Village- Ratanpur
Seizetola, P.O.- Dilarpur, P.S.- Manihari, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sharda Nand Mishra
For the Opposite Party/s :	Mr.Jai Narain Thakur
	Mr. Ranjan Kumar Jha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 27-09-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The present petition has been filed for grant of regular bail on behalf of the petitioner in connection with Muffasil (Katihar) P.S. Case No. 100 of 2019 registered for the offence punishable under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation in the present case is regarding unknown persons having shot dead the brother of the informant.

The learned counsel for the petitioner submits that the FIR has been lodged against unknown persons and during the course of investigation, the Police has falsely implicated the petitioner, however, there is no evidence whatsoever nor any eye witness is present so as to implicate the petitioner in the alleged crime. The learned counsel for the petitioner has further submitted that merely



on suspicion the petitioner has been booked in the present case and he is languishing in custody since 06.05.2019. The petitioner is stated to be having a clean antecedent.

The learned counsel for the informant has appeared in the present case and has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the present case, this Court deems it fit and proper to grant regular bail to the petitioner, above named, on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand), with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Katihar in connection with Muffasil (Katihar) P.S. Case No. 100 of 2019.

It is further directed that the petitioner would mark his presence before the Officer In-Charge of the concerned Police Station at 10:00 A.M. on each and every Monday of the month and on account of his failure on two consecutive occasion to mark his attendance, the present privilege of regular bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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