

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45908 of 2019

Arising Out of P.S. Case No.-128 Year-2019 Thana- PARBATTa District- Khagaria

Karelal Yadav, aged about 32 years, Gender-Male Son of Barho Yadav @
Brahmdeo Yadav Resident of Village - Bari Lagar, P.S.- Parbatta, District-
Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Rajendra Narain, Sr. Advocate
	:	Mr. Manoj Kumar Jha, Advocate
For the Opposite Party	:	Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-09-2019 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor, learned counsel for the

informant and perused the case diary.

The petitioner is in custody in connection with

Parbatta P.S.Case No.128 of 2019 registered for an offence

under Section 302 and other allied Sections of the Indian Penal

Code and Section 27 of the Arms Act.

It is alleged that the accused persons, variously armed

went to the house of the informant at 7.50 P.M., and fired at her

husband as a result of which, he died on the spot.

It is submitted on behalf of the petitioner that though

the accused persons have been named in the FIR with specific

allegation and regarding the petitioner, it is alleged that he fired



on the informant which did not hit her. It is also submitted that there is land disputed between the parties. It is also submitted that the allegation of firing on the deceased is only against one co-accused Mantu Yadav and not this petitioner. It is also submitted that chargesheet has already been submitted and petitioner is in custody since 13.05.2019.

However, learned counsel for the informant vehemently opposed the bail prayer of the petitioner and submits that the petitioner was demanding extortion money of Rs.2,00000/- from the informant for cultivating land.

In view of the aforesaid facts, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Khagaria in connection with Parbatta P.S.Case No.128 of 2019 corresponding to GR No.1049 of 2019 with following conditions:-

(i) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.



(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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