

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2522 of 2020

Arising Out of PS. Case No.-388 Year-2019 Thana- BAKHTIARPUR District- Saharsa

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KARI YADAV Son of Ram Yadav Resident of Village - Bhavdewa, P.S.-
Bakhtiyarpur, District- Saharsa Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh, Advocate
For the Opposite Party/s : Mr.Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking regular bail in connection with Bakhtiyarpur P.S. Case No. 388 of 2019 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that save and except suspicion there is no material against the petitioner to connect him with the murder of the father of the informant. It is submitted that the alleged quarrel between the parties had taken place one and half month back and that has been made ground to involve the petitioner in the present case even though nobody has seen the petitioner committing the alleged act. It is further submitted that the Police prepared the inquest report of the deceased at the house of the informant and not at the alleged



place of occurrence.

Learned APP for the State submits that although the name of the petitioner has been brought saying that he was seen at the relevant time going to Matth side, at least in paragraph '7' of the case diary one of the witnesses has stated that about 1:30 a.m. this petitioner along with two other unknown persons were seen coming from the Matth which is the place of occurrence and in course of investigation the witnesses have stated about the earlier enmity and they have further stated that this petitioner had allegedly been involved in the murder of the father of the informant.

It is stated that the petitioner is in custody only since 11.10.2019 and at this stage if the petitioner is released on bail the trial of the case may be influenced and as such prayer for bail of the petitioner be refused.

Considering the facts and circumstances of the case wherein the allegation against the petitioner is that because of earlier quarrel he had threatened the father of the informant and on the alleged date of occurrence he was found by one of the witnesses coming from the Matth side at 1:30 a.m. and further that he is custody only since 11.10.2019, this Court is not inclined to grant privilege of regular bail to the petitioner. His



prayer for bail is, thus, refused at this stage.

The petitioner may, however, renew his prayer for bail
after a reasonable period.

(Rajeev Ranjan Prasad, J)

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