

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14259 of 2020

Arising Out of PS. Case No.-155 Year-2019 Thana- BRAHMPUR District- Buxar

Kanhaiya Yadav, Son of Late Ram Janam Yadav, Resident of Village - Ariyon,
P.S.- Brahmpur (Krishnabrahm), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 16-06-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner is accused in connection with
Brahmpur (Krishnabrahm) P.S. Case No. 155 of 2019, registered
under Section 302/34 of the Indian Penal Code and Section 27
of the Arms Act.

The accusation is of carrying of Chandan Kumar,
son of informant, Lal Baby Yadav by Ajay Yadav, Kanhiya
Yadav (petitioner), Bijay Yadav and Kanhaji Yadav near Banyan
tree. At that time, Bijay Yadav and Kanhaji Yadav caught hold
his son, Chandan Yadav and this petitioner instigated them to
kill his son. On hearing the sound of his son, Chandan Yadav,
informant and other family members reached there then Ajay



Yadav shot fire at his son, Chandan Kumar, who died at the spot.

Learned counsel for the petitioner submits that petitioner and the informant are co-villagers and due to dirty village politics, petitioner has falsely been implicated in the present case without any specific overt act with only allegation to instigate the other co-accused to kill Chandan Kumar, son of the informant. It is further submitted that petitioner has no criminal antecedent and is in custody since 04.01.2020 and the charge sheet has already been submitted against the petitioner.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released 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 Chief Judicial Magistrate, Buxar, in connection with Brahmpur (Krishnabrahm) P.S. Case No. 155 of 2019. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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