

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18452 of 2020**

Arising Out of PS. Case No.-372 Year-2019 Thana- HISUWA District- Nawada

KAILASH YADAV, Son of Bineshwar Yadav, Resident of Village - Fathepur,
P.S.- Nardiganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Adv.

For the Opposite Party/s : Mr.Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

4 28-08-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

The petitioner seeks bail in a case registered for the offence punishable under Sections 147/148/323/341/307/149 of the Indian Penal Code and later on Section 302 of the Indian Penal Code has been added.

Prosecution case is that the informant is an Assistant Sub Inspector of Police at Hisua Police Station accompanied with police force received information from mobile during patrolling duty that the resident of village Bajra Tola had caught hold a person alleging him to be a child thief. The informant alongwith police force came to the place of occurrence where he found that the accused persons had caught hold the person namely Amarnath Goswami alleging him to be child thief. It is alleged that accused persons were assaulting him by means of fists, slaps and weapons by alleging him on pretext of a child thief. The informant some



how managed to remove his custody from the clutch of the accused persons and thereafter, the injured was brought to the hospital who died during medical treatment.

Learned counsel for the petitioner submits that the petitioner has committed no offence and he has falsely been implicated in this case merely on the basis of suspicion. It is stated that the case was initially instituted u/s 307 of the I.P.C. and later on Section 302 of the I.P.C. added during investigation. There is general and omnibus allegation against the petitioner and the petitioner is in custody since 05.02.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Hisua P.S. Case No. 372 of 2019 to the satisfaction of the learned Chief Judicial Magistrate, Nawada.

(Anjani Kumar Sharan, J)

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