

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20570 of 2020

Arising Out of PS. Case No.-126 Year-2019 Thana- PASRAHA District- Khagaria

Pritam Yadav, Son of Sri Prabhash Yadav Resident of Village-Kapsiya, P.S-
Alam Nagar (Ratwara), District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar- Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 22-09-2020 Heard learned counsel appearing for the petitioner

as well as learned Additional Public Prosecutor appearing for

the State.

Petitioner is in jail custody since 04.02.2020 in
connection with Pasraha P. S. Case No.126 of 2019, initially,
registered under Sections 363 and 365 of the I.P.C., but
subsequently, converted into Section 364/ 34 of the I.P.C.

Admittedly, the above stated case was registered
against unknown persons on 27.09.2019, on the basis of written
report submitted by the wife of victim. However, in course of
investigation, the daughter of informant claimed to have seen
the petitioner and others carrying her father and the aforesaid
statement was supported by some other witnesses too.

Learned counsel for the petitioner submits that



some co-accused, having similar allegation, have already been granted privilege of anticipatory bail by a Coordinate Bench of this Court and, moreover, petitioner does not have any criminal antecedent.

On the other hand, learned Additional Public Prosecutor submits that the victim is still traceless and the investigation is still going on.

Admittedly, the name of petitioner was not disclosed by the informant at the time of institution of the present case, but subsequently, her daughter claimed to be eye witness of the alleged occurrence. Furthermore, I find that the Investigating Officer did not make any prayer for taking remand of the petitioner.

In the aforesaid facts and circumstances of the case as well as submissions of the parties and also with a view to maintain the parity of justice, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Pasraha P. S. Case No.126 of 2019.

The petitioner shall remove the defects, within four weeks from the date, when the Court starts normal functioning



and if, petitioner fails to do so, the office shall place the record
before the appropriate Bench for passing necessary orders.

(Hemant Kumar Srivastava, J)

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