

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25040 of 2020

Arising Out of PS. Case No.-578 Year-2019 Thana- TURKAULIYA District- East
Champaran

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BIPIN YADAV Son of Bhikhari Rai, Resident of Village- Jaysinpur
Karamawa, P.S.- Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.
For the Opposite Party/s : Mr.B.N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 21-09-2020 Heard both sides through Video Conferencing.

Petitioner seeks bail in Turkauliya P.S. Case No.578
of 2019 registered under Sections 147, 148, 149, 341 and 302 of
the IPC and under Section 27 of the Arms Act.

The informant (son of the deceased) alleged that after
hearing some whisper, he and his father woke up and in the light
of torch, the informant identified all accused persons, who are
named in the F.I.R. including the petitioner. The informant
further alleged that on the order of Bipin Yadav (petitioner) and
Arvind Yadav, Rakesh Yadav fired first shot in the head of his
father. Thereafter on the order of Lalbabu Rai, Dilip Kumar
Yadav also fired in the head of the father of the informant. Arun
Yadav is also alleged to have fired in the head of the father of



the informant and thereafter all accused persons fled away.

Learned counsel for the petitioner submits that the petitioner is of course named in the F.I.R. but the petitioner is not alleged to have fired. The petitioner is alleged to have ordered to kill the father of the informant. Admittedly there is a land dispute between the two sides. The petitioner has also got criminal antecedent but the petitioner is made accused in the case on account of some enmity. The petitioner is in jail since 12.02.2020. The petitioner being order giver has remained in jail for more than seven months and Baliram Roy has also been enlarged on bail by order passed in Cr.Misc.No.2023 of 2020.

Learned A.P.P., however, opposed the prayer for bail.

It appears from perusal of the F.I.R. itself that the petitioner is of course named in the F.I.R. but the petitioner is alleged to have ordered other accused persons to kill the father of the informant. On such, Rakesh Yadav, Dilip Kumar Yadav and Arun Yadav are said to have fired killing the father of the informant on the spot. The petitioner being order giver has remained in jail for more than seven months.

Having considered the facts aforesaid, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of



like amount each to the satisfaction of learned C.J.M., East
Champan at Motihari in connection with Turkauliya P.S. Case
No.578 of 2019.

(Prabhat Kumar Jha, J)

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