

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78849 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- KHARIK District- Bhagalpur

Bharat Yadav @ Bharti Yadav @ Bharti Son of Late Saryug Yadav Resident
of Village- Bagri, P.S.- Kharik, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 17-03-2020 The petitioner, who is in custody since

29.08.2019, seeks bail in connection with Kharik P.S.

Case No. 34 of 2019 dated 23.02.2019 instituted for

the offences under Sections 147, 148, 149, 302 and

120(B) of the Indian Penal Code.

The petitioner is the informant of this case who

has alleged that his nephew has been killed at the

instance of named accused persons. While naming the

accused persons, the petitioner/informant had named

one Saket Yadav and Chhotu Yadav also. Aforesaid

Chhotu Yadav was arrested and he confessed his guilt.

While making the confession, he is also stated to have



disclosed that he had killed the deceased only at the instance of the petitioner.

The learned advocate for the petitioner has submitted that there is a definite reason for falsely implicating the petitioner in the aforesaid confessional statement of Chhotu Yadav. The wife of one of the named accused persons viz. Saket Yadav was selected as an Aanganwari Sevika. On the complaint of the petitioner against her, her appointment was cancelled. Aforesaid Saket Yadav therefore nursed a serious grudge against the petitioner and because all other accused persons including Chhotu Yadav belong to one particular group, the petitioner has been falsely implicated.

Considering the nature of accusation against the petitioner which is primarily based on the confession of a co-accused who was named as an accused person by the petitioner in his capacity as an informant of this case, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to
the satisfaction of the learned Sub-Divisional Judicial
Magistrate, Naugachia, Bhagalpur in connection with
Kharik P.S. Case No. 34 of 2019.

(Ashutosh Kumar, J)

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