

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12542 of 2021

Arising Out of PS. Case No.-29 Year-2020 Thana- GAMAHARIYA District- Madhepura

Kailu Yadav Son of late Laxmi Yadav Resident of Village- Chikni Fulkaha,
P.S.- Gamharia, Distt- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Smt. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 04-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred the instant application for grant of regular in a case registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the F.I.R., the informant was informed about the murder of her husband by her husband's nephew (sister's son). She states that as per information, the six named accused persons and two unknown surrounded and shot the informant's husband.

It is submitted by learned counsel for the petitioner that the allegations against the petitioner are false and



concocted. He has been falsely implicated in the case because of pending cases between the parties lodged as a result of the murder of the petitioner's wife. It is submitted that the allegations are general and omnibus in nature. The contents of the postmortem report do not support the allegation of firing by six accused persons. The petitioner is in custody since 6.3.2020 and has no criminal antecedent.

It is further submitted by learned counsel for the petitioner that as a result of typographical error the name of the father of the petitioner has been wrongly typed as 'Laxmi' instead of the correct 'Late Laxmi Yadav'.

Let the correct name of father of the petitioner be printed in the petition.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the general and ominous allegations against the petitioner, the petitioner being in custody 6.3.2020 and investigation in the case having concluded, this Court directs the petitioner to be enlarged on bail in connection with Gamahariya P.S. Case no. 29 of 2020 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 Judicial Magistrate- 1st Class,
Madhepura.

(Partha Sarthy, J)

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