

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13299 of 2021

Arising Out of PS. Case No.-7 Year-2020 Thana- SARMERA District- Nalanda

KARU YADAV, S/O SRI JADDU YADAV, R/o village- Banshi Bigha, P.S.-
Sarmera, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kr. Thakur, Adv.
	:	Mr.Udbhav, Adv.
For the Opposite Party/s	:	Mr.Satendra Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Prosecution case, in brief is that on 07.01.2020 at 5.00 p.m. one Mauli Kewat co-accused took away the informant's youngest brother Guddu Kewat to drink liquor and when he did not return till night. In the morning at 4.00 a.m. informant



started searching his brother at about 6.00 a.m., the dead body of his brother was found in the lentil field of Narayan Yadav. It is further alleged that two days back some altercation was taken with petitioner in with regard to plucking Khesari's Sag.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that as per FIR, allegation against the petitioner is that few days back petitioner had some altercation with the deceased, after that petitioner alongwith other accused persons called his brother Guddu Kumar (deceased) after giving sharp cutting of his neck. The similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court vide order dated 23.11.2020 passed in Cr. Misc. No.22911/2020.

Learned counsel for the petitioner further submits that from perusal of the FIR, it is evident that only on vague suspicion, the petitioner has been made accused in the present case. The petitioner is languishing in judicial custody since 29.06.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of



the case, 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 Sessions Trial No. 229/2020 arising out of Sarmera P.S. Case No. 07/2020 to the satisfaction of learned Court below where the case is pending/ successor court.

(Anjani Kumar Sharan, J)

amitkumar/-

U		T	
---	--	---	--

