

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35781 of 2021**

Arising Out of PS. Case No.-53 Year-2021 Thana- RAJAON District- Banka

SUVASH KUMAR YADAV @ HAJARI YADAV Son of Radhey Yadav @  
Radhey Prasad Yadav Resident of Village - Shyampur Choti Ghutia, P.S.-  
Rajaun, District - Banka- 813105

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Indrajit Kumar

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      28-10-2021                      Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for  
the offence punishable under Section 302, 201/34 of the Indian  
Penal Code.

As per the prosecution case, the son of the informant  
was killed by some unknown miscreants.

Learned counsel appearing for the petitioner submits  
that petitioner is not named in the FIR and name of petitioner  
has surfaced in this case during the course of investigation in the  
statement of some of the witnesses, who disclosed that this  
petitioner was seen carrying the deceased. It is further submitted  
that in paragraph 80 and 81 of the case diary witnesses have  
stated that deceased met with an accident as a result of which he  
sustained injuries and petitioner and other accused persons were



carrying him in the hospital for treatment. There is no eye witness of the occurrence and petitioner has been implicated in this case only on suspicion. It is submitted that Kalu Yadav, who was witness of the inquest report, in the FIR has not stated anything against the accused persons at that time but after two days, during the course of investigation, he has deposed that he has seen the petitioner taking the dead body of the deceased which cannot be believed. Petitioner claims clean antecedent and is in custody since 15.02.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Rajaun PS case No.53/2021.

**(Prabhat Kumar Singh, J)**

BKS/-

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