

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28906 of 2020

Arising Out of PS. Case No.-9 Year-2020 Thana- BALIYA District- Begusarai

KIRANDEO YADAV S/o Late Suro Yadav Resident of Village-Phulwaria
naya tola, Ward no.7, P.S.-Ballia, District-Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 02-02-2021 Heard the learned counsel for the petitioner
and the learned APP for the State, Sri AShok
Kumar.

The petitioner seeks regular bail in
connection with Balia P.S. Case No. 09 of 2020,
registered for the offence punishable under
Sections 302, 201 and 120(B)/34 of the Indian
Penal Code.

As per the prosecution case, while the
informant along with his son went for walk, all six
FIR named accused persons, armed with pistol
and katta, surrounded the son of the informant
and threatened him to kill. On seeing this, the
informant went back to his village and informed
the villagers about the incident. Later on, upon



search being made, the dead-body of the son of the informant was found in the field of Anandi Yadav, Phulwaria Naya Tola. It is suspected that all the accused persons committed murder of the son of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 05.03.2020. The learned counsel for the petitioner has further submitted that there is no eye-witness to the alleged occurrence and the charge-sheet has already been filed, hence, there is no use of keeping the petitioner in custody. It is further submitted that similarly situated co-accused persons have already been granted bail by coordinate Benches of this Court vide order dated 11.12.2020 passed in Criminal Miscellaneous No. 30668 of 2020 and order dated 11.01.2021 passed in Criminal Miscellaneous No. 29996 of 2020.

Per contra, the learned APP for the State has



vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also those available in the case diary and further considering the parity of the case of the petitioner with that of the co-accused persons, who have already been granted bail by coordinate Benches of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Balia P.S. Case No. 09 of 2020.

(Mohit Kumar Shah, J)

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