

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44310 of 2021**

Arising Out of PS. Case No.-244 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

Rangi Yadav Son of Brahmdev Yadav Resident of Village- Bangalkhad, P.S.-
Kuchaikot, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Advocate

For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 15-12-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kuchaikote P.S. Case No. 244 of 2020 instituted for the offences
under Sections 302, 307 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 17.08.2020, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that as per
allegation as alleged in the F.I.R. the informant alleges that
while the son of the informant was returning from the house of
the relative, it is alleged that he disappeared and subsequently
his dead body was recovered. The informant further alleges that
ten named accused persons, including the petitioner, herein two



days ago came variously armed at the house of the informant and had abused and threatened him that they would kill his son.

Learned counsel for the petitioner submits that except for the suspicion having been raised by the informant no other cogent material has transpired in course of investigation to connect the petitioner with the alleged occurrence. It is further submitted that so far as witnesses referred to in paragraph '6', '7' and '8' of the case diary are concerned, they have only repeated the suspicion raised by the informant in the F.I.R. Learned counsel submits that after more than a month of the occurrence, on 20.09.2020, one of the maternal uncles of the deceased, claiming himself to be an eye-witness, made general and omnibus allegation against the petitioner and a number of other co-accused persons of having assaulted the deceased but without giving any explanation for the delay in coming forward with the statement. Learned counsel further submits that similarly situated co-accused has been granted bail vide order dated 12.03.2021 in Cr. Misc. No. 40926 of 2020 (Sachin Yadav and Another vs. State of Bihar)

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody



since 17.08.2020, charge-sheet has been submitted in the case, the petitioner is a person with clean antecedent and similarly situated co-accused has been granted bail, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VII, Gopalganj in connection with Kuchaikote P.S. Case No. 244 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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