

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52516 of 2021**

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

NUNU LAL YADAV

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Dhirendra Pratap Singh

For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

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

3 02-12-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, 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.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case because of pending cases between the parties. There is general and omnibus allegation against all the FIR named accused persons. The informant is not an eye witness of the



occurrence and the person claims to have seen the occurrence has not lodged the FIR. Post mortem report also does not corroborate the prosecution case. Similarly situated accused Kailu Yadav has already been granted bail by a co-ordinate Bench of this court vide order dated 04.08.2021 passed in Cr. Misc. No. 12542/2021. Petitioner is in custody since 26.09.2020 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 smt. Surbhi Srivastava, Judicial Magistrate, 1st class, Madhepura in connection with Gamhariya PS case No.29/2020.

(Prabhat Kumar Singh, J)

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