

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3823 of 2021

Arising Out of PS. Case No.-226 Year-2019 Thana- KATORIYA District- Banka

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Raju Yadav @ Raju Kumar Son Of Kangres Yadav Resident Of Village-
Barbasani, Police Station- Katoria, District- Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 10-08-2021 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Katoria P.S. Case No. 226 of 2019 registered for the offence punishable under Section 302/34 of the Indian Penal Code.

The prosecution case as per the fardbeyan of the informant is that petitioner along with other co-accused persons had killed son of the informant. It is further alleged that son of informant was *Deputy Mukhiya* of the *Panchayat* and one co-accused *Prakash*



Yadav, Ex Mukhiya had threatened his son with dire consequences as deceased has stopped him from doing some work in MANREGA.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He is not named in the F.I.R. He submits that during the investigation, police has taken statement of uncle of the deceased who disclosed the name of petitioner and on that basis petitioner has been made accused in this case. He further submits that similiary situated co-accused persons namely *Pakki Yadav @ Prakash Yadav and Manish Kumar Suman @ Mainsh Yadav @ Mukesh Yadav* have been granted bail *vide* orders dated 03.12.2020 and 09.02.2021 in Cr. Misc No. 26535 of 2020 and Cr. Misc. No. 40091 of 2020 respectively by Co-ordinate Bench of this Court. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent and has been languishing in custody since 29.09.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid and the fact that similiary situated co-accused persons have already been granted bail, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Katoria P.S. Case No. 226 of 2019.

(Anjani Kumar Sharan, J)

GAURAV S./-

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