

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10926 of 2021**

Arising Out of PS. Case No.-121 Year-2017 Thana- MURLIGANJ District- Madhepura

BITTU YADAV @ GYANDEEP KUMAR SON OF AMRENDRA KUMAR
SINGH @ SIYARAM AMIN R/O VILLAGE- TAMOUT PARSA, P.S.-
MURLIGANJ, DISTRICT- MADHEPURA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP.

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 06-07-2021

. In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Murliganj PS Case No. 121 of 2017 registered under Sections 302, 201 and 34 of the IPC.

Upon recovery of a dead body from the field, FIR has been lodged against unknown persons.

It is submitted by learned Counsel for the petitioner that subsequently it transpired that the deceased had love affair with daughter of one Radha Kant Yadav and it is a case of honour killing. The petitioner has been implicated based on statement of said Radha Kant Yadav. Having no criminal antecedent, it is submitted that he is in custody since 22.10.2020. Learned Counsel for the petitioner submits that as late as in the year 2020 warrant of arrest was issued against him. Other co-accused named by Radha Kant Yadav have



since been allowed bail. One such order is Annexure 23 series passed in the case of co-accused Md. Parwej Alam. Petitioner claims parity with the said co-accused.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Madhepura in Murliganj PS Case No. 121 of 2017 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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