

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6131 of 2022

Arising Out of PS. Case No.-21 Year-2021 Thana- JHAJHA RAIL P.S. District- Lakhisarai

Mukka Yadav @ Mukesh Yadav Son of Heman Yadav @ Jhagan Yadav
Resident of Village - Rajla, P.S.- Jhajha, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within four
weeks from today.

The petitioner seeks regular bail in connection with
G.R.P. Jhajha P.S. Case No. 21 of 2021 instituted for the
offences punishable under Sections 302, 201 and 34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 30.05.2021, charge-sheet has been
submitted in the case and has antecedent of one case.

Learned counsel for the petitioner submits that
informant alleges that about 10 days back, there was a fight
between the children of the informant and Kaiyum Miya one of



the accused person. It is further alleged that the petitioner and the other accused persons came to the house of the informant and on account of fight between the children, threatened the husband (deceased) of the informant that he would be killed and nothing will happen to him as he is a member of the Zila Parishad. Thereafter, it is alleged that on 21.02.2021, the deceased along with his named accused persons came to the shop of the informant and had dinner and thereafter, left with his friends and in the morning, a headless body was found near the railway track. The body was identified by the informant as that of the deceased. Thus, alleged that petitioner and named accused persons killed the deceased.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case, the informant is not an eye-witness to the occurrence. It is also submitted that in the F.I.R itself, it is stated that the husband of the informant accompanied the petitioner and three other accused persons that in itself demonstrates that he had no apprehension from them and thus after having dinner, the deceased accompanied the accused persons. Learned counsel for the petitioner further submits that co-accused Kaiyum Miya has been granted bail vide order dated 21.02.2022 passed in Cr. Misc. No. 55101 of



2021 and another co-accused namely, Basudeo Turi vide Cr. Misc. No. 7924 of 2022 order dated 11.04.2022 has also been granted bail by this Hon'ble Court.

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 30.05.2021, charge-sheet has been submitted in the case, 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 Railway Judicial Magistrate, Kiul in connection with G.R.P. Jhajha P.S. Case No. 21 of 2021.

(Khatim Reza, J)

Gaurav Kumar/-

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