

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10064 of 2022

Arising Out of PS. Case No.-153 Year-2021 Thana- PARSABAZAR District- Patna

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TUNTUN YADAV Son of Late Krishna Yadav @ Gutkan Yadav Resident of
Village- Suitha, P.S.- Parsa Bazar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hansraj, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-12-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, the informant states that he received information about her husband having been strangled to death with the help of a towel.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Admittedly, the informant is not an eye witness to the occurrence. No material has transpired in course of investigation to implicate the petitioner in the alleged crime. Co-accused Sonu Sao and Vijay Kumar have been enlarged on bail by different orders passed by this Court. The petitioner has remained in custody since 30.4.2021. Investigation in the case is complete.

Heard learned APP for the State.



Having heard learned counsel for the parties and taking into consideration the materials on record it transpires that the informant is admittedly not an eye witness to the occurrence. Even as per the statement of the informant, it was Sonu Sao who had carried the food items including fish which was consumed by the three accused persons along with the deceased and of which co-accused Sonu Sao has been enlarged on bail vide order dated 24.5.2022 passed in Cr. Misc. No. 67929 of 2021 and Vijay Kumar has been enlarged on bail vide order dated 28.4.2022 passed in Cr. Misc. no. 72142 of 2021.

Thus in the facts of the case, the petitioner is directed to be enlarged on bail in connection with Parsa Bazar P.S. Case no. 153 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VIII, Patna.

(Partha Sarthy, J)

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