

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17190 of 2022

Arising Out of PS. Case No.-142 Year-2020 Thana- FULKAHA District- Araria

BHAGWAT YADAV Son of Late Goghan yadav Resident of Village - Chanda
Dumaria, P.s.- Fulkaha, Distt.- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh

For the Opposite Party/s : Mr.Ram Sumiran Rai

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 25-07-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in a case registered under Sections 302, 379 and 120B read with 34 of the Indian Penal Code.

As per the prosecution case, allegation is that the co-accused, Tuniya Devi, the step-mother of the informant killed the grandmother-in-Law of the informant due to land dispute with the help of criminal associates.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and he has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is also accused in five other criminal cases as stated at para 3 of the bail petition. The petitioner is in custody since 01.07.2021. Learned counsel for the petitioner has further submitted that the petitioner has not been named in the F.I.R. The other co-accused has already been granted bail by the Co-ordinate Bench vide order dated 07.03.2022 passed in Cr.Misc. No.33240 of 2021. Main allegation is against the co-accused person but she has already been granted bail and the name of the petitioner has sprung up during the course of investigation.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class-cum- Assistant Munsif-1, Araria, in connection with Fulkaha P.S. Case No. 142 of 2020, with following conditions:-

1. The petitioner is directed to remain physically



present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

2. If the petitioner is found involved in similar nature of offence, his bail bond is liable to be cancelled by the Court concerned.

The application stands allowed.

(Chandra Prakash Singh, J)

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