

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31873 of 2021

Arising Out of PS. Case No.-271 Year-2020 Thana- RAJAON District- Banka

RIKESH YADAV Son of Bhairo Yadav Resident of Village- Navtolia, P.S.-
Rajoun, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 04-04-2022 Heard Mr. Najmul Hodda, learned counsel for the

petitioner and Mr. Kumar Ranjit Ranjan, learned Additional

Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Rajoun P.S. Case No. 271/2020 registered for the offences
punishable under Sections 279, 304(A) of the Indian Penal
Code 1860. Subsequently, Sections 302 and 201/34 of the
Indian Penal Code was added.

The allegation, as per the First Information Report, is
that on 16.7.2020 at about 5:30 AM the husband of the
informant who was a constable, was going to report in Bhojpur
District Force on his Motorcycle, but on the way near Nariya
More (Rajoun), he was knocked down by unknown vehicle, due
to which, the husband of the informant sustained injury and



died.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of subsequent statement of the informant recorded during course of investigation and from perusal of the First Information Report it is evident that husband of the informant met with an accident, due to which, he died. He further submits that confessional statement of the petitioner has been recorded by the Police and on that basis he has been dragged in this case. However, the Doctor in his postmortem report has opined the cause of death due to road traffic accident. The petitioner is in custody since 17.7.2020 and brother of the petitioner namely, Mrityunjay Yadav has been granted bail by this Court in Cr. Misc. 30505 of 2021

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that Doctor in the postmortem examination report has opined the cause of death due to road traffic accident and the brother of the petitioner has already been granted bail by this Court, the petitioner is in custody since 17.7.2020 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Rajoun P.S. Case No. 271/2020.

(Anil Kumar Sinha, J)

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