

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39840 of 2021

Arising Out of PS. Case No.-68 Year-2021 Thana- AWTARNAGAR District- Saran

RAJU YADAV Son of Nand Kishore Ray Resident of Village - Chhot Jhaui,
P.S.- Avtar Nagar, District – Saran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nivedita Nirvikar, Sr. Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-02-2022 Heard learned counsel for the parties through video conferencing.

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 husband of the informant had gone to the house of his friend Shani Singh from where he talked with the informant. It is further stated by the informant that her husband was also in friendship with the petitioner and that she had requested the petitioner not to keep her husband with him till late night on which the petitioner's wife had called the informant and threatened her with dire consequences. Thereafter, her husband was shot dead. She suspects the hand of the three named accused persons including the petitioner herein.



It is submitted by learned senior counsel appearing for the petitioner that the petitioner has been falsely implicated in the case. Referring to the material that has transpired in course of investigation it is submitted that no material has transpired against the petitioner to connect him with the alleged crime. There is no eye-witness to the occurrence. The petitioner is in custody since 18.2.2021 and has no criminal antecedent. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the materials on record including the material that has transpired in course of investigation and the petitioner having remained in custody for about 1 year, the Court directs the petitioner to be enlarged on bail in connection with Autar Nagar P.S. Case no 68 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 J.M 1st Class, Saran at Chapra.

(Partha Sarthy, J)

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