

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41016 of 2021**

Arising Out of PS. Case No.-53 Year-2021 Thana- RAJAON District- Banka

SUBHASH YADAV @ Subhash Kumar Yadav Son of Babulal Yadav
Resident of Village - Dhanaur, P.S. - Rajoun, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 03-01-2022 At the outset, the learned counsel for the petitioner seeks to add the alias name of the petitioner in the memo of parties. The learned counsel for the petitioner is permitted to do so during the course of the day.

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

The petitioner seeks regular bail in connection with Rajoun P.S. Case No. 53/2021, registered for the offence punishable under Sections 302 and 201/34 of the Indian Penal Code.

The allegation is regarding the son of the



informant having been killed by some unknown miscreants, whereafter his dead body was thrown in a field near Sanjha Bazar.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 15.2.2021. The learned counsel for the petitioner has further submitted that the petitioner has been falsely implicated in the present case merely on suspicion and the fact is that the deceased had met with an accident, whereafter he had died on account of the injuries sustained by him. It is also submitted that similarly situated co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 28.10.2021 passed in Criminal Miscellaneous No. 35781 of 2021.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the



submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused person, who has already been granted bail by a coordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten 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. 53/2021.

(Mohit Kumar Shah, J)

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