

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42141 of 2021

Arising Out of PS. Case No.-145 Year-2015 Thana- AMARPUR District- Banka

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LALOO YADAV @ LALOO KUMAR Son of Jayram Yadav Resident of
Village - Bakhadda, Police Station - Rajoun, District - Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Adv. Mr.Md. Najmul Hodda
For the Opposite Party/s :		Mr.Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 25-04-2022 Heard the parties.

Petitioner seeks regular bail in connection with
Amarpur PS Case No. 145 of 2015 registered under Section
302 , 120 (B), 448 , 34 of the IPC.

As per the allegation made in the FIR while the
informant - Mansi Kumari along with her mother / Micky
Kumari and brother / Manas Kumar were sleeping in their house
at around 11:00 P.M. the petitioner along with other three co-
accused persons entered into her house and committed murder
of informant's mother by pressing her neck and setting her
ablaze.

Learned senior counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged.



He has falsely been implicated in this case after 1½ months from the date of occurrence on the basis of complaint filed by the informant before the learned Chief Judicial Magistrate, Banka which was subsequently converted into FIR under Section 156 (3) of the Cr.P.C. He further submit that occurrence has allegedly taken place on 17/03/2015 and on the next day in the morning an U.D. case was lodged by the father of the deceased which is at Annexure-2 to the bail application and from perusal of the same it would be evident that father of the deceased has not raised any suspicion against anybody including the petitioner. The petitioner is in custody since 19/04/2021.

On the other hand, Mr. Manoj Kumar Jha, learned counsel for the informant vehemently opposes the prayer for bail and submits that 164 Cr.P.C. statement of the informant was recorded on 28-01-2019 in which she has supported the prosecution story and has disclosed the name of the petitioner, who pressed the mouth of the deceased and other accused persons pressed the neck and set her ablaze.

Regard being had to the submissions made by the parties and taking into consideration the material available on record, the statement of the father of the deceased in the U.D. case, the fact that statement of the informant under Section 164



of the Cr.P.C. was recorded after 3½ years from the date of occurrence, the petitioner is in custody since 19-04-2021 and charge sheet has already been submitted, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarpur PS Case No. 145 of 2015.

(Anil Kumar Sinha, J)

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