

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34810 of 2022

Arising Out of PS. Case No.-84 Year-2020 Thana- TIKAPATTI District- Purnia

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Vikash Yadav Son Of Janardan Yadav @ Jodhan Yadav R/O Village- Purani
Nandgola, P.S.- Tikapatti, District- Purnea Petitioner/s
Versus

The State Of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad
For the Opposite Party/s : Mr. Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-11-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under Sections 302, 301/34 of Indian Penal Code.

As per prosecution case, daughter of the informant was killed by FIR named accused persons including this petitioner. It is further alleged that prior to the killing informant's son-in-law, Ramsawroop Kumar Yadav, also threatened to kill her.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is eye witness of the occurrence and only on suspicion this petitioner has been made accused in the instant case. In fact, during course of investigation it has emerged that husband of the deceased was having illicit relations with sister-in-law of the petitioner



regarding which the informant's daughter was raising objection. Apparently, the killing has occurred in the midst of such dispute between the victim, her husband and sister. Petitioner being cousin brother-in-law of the deceased, petitioner and his family members have implicated him in this case on extraneous consideration. Petitioner has got clean antecedent.

However, learned counsel for the State vehemently opposes the prayer for bail application submitting that petitioner is named in the FIR.

Considering the facts on record and the fact that informant is not an eye witness and petitioner has been made accused only on suspicion, let the above named petitioner in the event of his arrest/surrender before the court below within a period of thirty days from the date of receipt/production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in Tikapatti P. S. Case No. 84 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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