

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48364 of 2021

Arising Out of PS. Case No.-12 Year-2021 Thana- CHOUTARWA District- West Champaran

Rameshwar Yadav S/O Late Janak Yadav Resident Of Bariarwa, P.S.-
Chautarwa, District- West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-01-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in connection with
Chautarwa P. S. Case No.12 of 2021, instituted for the offences
under Sections 302, 504/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 27.01.2021, he is a person with
clean antecedent, charge-sheet has been submitted in the case
and is a senior citizen aged about 62 years.

The learned counsel for the petitioner submits that the
informant alleges that while his father was sleeping in the cattle-
shed when the petitioner along with Amod Yadav came and
petitioner started assaulting the deceased by lathi and Amod
Yadav was strangulating the deceased by scarf and on scream of



the victim, the family members rushed, but they were abused and chased away by the petitioner and Amod Yadav. It is next alleged that father of the informant died on 07.01.2021.

The learned counsel for the petitioner submits that the petitioner is an old man and has been falsely implicated in the present case for the reason that petitioner is own elder brother of the deceased and the relationship has been concealed in the F.I.R. and the case has been made out as if petitioner a stranger to the family along with Amod Yadav killed the father of the informant. The fact that the relationship of the petitioner with the deceased stands concealed creates a suspicion regarding the allegation. Further the informant with a view to coerce the petitioner into submission instituted a false case, so that he can bargain for a larger share in the property. It is further submitted that petitioner being a senior citizen and a person with clean antecedent would indulge in such an act at this stage of his life.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody since 27.01.2021, he is a person with clean antecedent, charge-sheet has been submitted in the case and is a senior citizen aged about 62 years and the relationship in the F.I.R. stands



deliberately concealed, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1, Bagaha, West Champaran in connection with Chautarwa P. S. Case No.12 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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