

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48802 of 2021

Arising Out of PS. Case No.-5 Year-2021 Thana- KAJRAILICHAK District- Bhagalpur

Chhotu Yadav Son Of Luto Yadav @ Ram Prasad Yadav R/O Village-
Kamalpur, P.S.- Kajraili, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 24-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed
within four weeks of start of normal functioning of the physical
court.

Petitioner seeks bail in connection with S.T. No. 355 of
2021 arising out of Kajraili P.S. Case No. 05 of 2021 registered for
the offences punishable under Sections 302, 201 of the Indian
Penal Code and Section 27 of the Arms Act.

According to prosecution case, as per written report of
the informant Rubi Devi alleging therein that on 07.01.2021 in
night informant was got information on telephone that her son
Mithun Yadav @ Suman Yadav has been murdered by bullet fire in
sleeping status. On information when informant reached at the
Sasural of his son and saw that her son has been murdered by
piercing needle and by means of firearm. It is further alleged that



the accused persons including the petitioner who are named in the F.I.R. have committed murder of the informant son.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case on the basis of suspicion. He further submits that there is no eye witness of the alleged occurrence and the deceased was killed at his in-laws house and there is no concern at all. The petitioner is in custody since 23.01.2020.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail and submits that during investigation it has come that the petitioner and wife of the deceased was in illicit relation and in para 61 of the case diary the petitioner confessed about the involvement in the present crime and bail of the co-accused namely Pari Devi has been rejected by this Hon'ble Court vide order dated 23.03.2022 passed in Cr. Misc. No. 48429 of 2021.

Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of bail to the petitioner and accordingly, the same stands rejected.

(Rajesh Kumar Verma, J)

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