

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44638 of 2022

Arising Out of PS. Case No.-181 Year-2020 Thana- RAGHUNATHPUR District- Siwan

Krishna Yadav @ Krishn Kumar Yadav Son Of Bhagirath Yadav R/O Village-
Raghunathpur Dakshin Tola, P.S.- P.S.- Raghunathpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Kumari Anupam, Advocate
For the State : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with
Raghunathpur P.S. Case No.181 of 2020 registered for the
offence under Sections 302 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 14.06.2022.

The allegation against the petitioner is to commit the
murder of the son of informant alongwith other co-accused
persons due to previous enmity, as informant opposed petitioner
on several occasions not to involve in illegal trading activity of
illicit liquor.

Learned counsel appearing on behalf of the petitioner
submitted that informant is not the eye witness of the occurrence



and entire implication is based upon suspicion, as two days prior of this occurrence informant was threatened by the petitioner regarding illegal activity of liquor. It is further submitted that save and except suspicion nothing surfaced during the course of investigation which may connect this petitioner with the present set of occurrence. It is also submitted that admittedly the son of petitioner was habitual drinker, where his death was caused due to accident, arising out of excessive consumption of liquor, where cause of death is 'asphyxia due to drowning'. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as save and except suspicion, nothing appears incriminating against petitioner, where informant is not the eye witness of the occurrence coupled with the fact that charge-sheet has already been submitted, let above named petitioner is directed to be released on bail in connection with Raghunathpur P.S. Case



No.181 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 8th, Siwan/concerned court, subject to conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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