

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30970 of 2021

Arising Out of PS. Case No.-274 Year-2020 Thana- ISLAMPUR District- Nalanda

RAM BINAY YADAV

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 38833 of 2021

Arising Out of PS. Case No.-274 Year-2020 Thana- ISLAMPUR District- Nalanda

RANJIT KUMAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 55771 of 2021

Arising Out of PS. Case No.-274 Year-2020 Thana- ISLAMPUR District- Nalanda

VINOD YADAV

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 30970 of 2021)

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Akshay Lal Pandit, APP

(In CRIMINAL MISCELLANEOUS No. 38833 of 2021)

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

(In CRIMINAL MISCELLANEOUS No. 55771 of 2021)

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 09-03-2022 Heard learned counsel for the petitioners and



learned Additional Public Prosecutor appearing for the State.

Petitioners seek regular bail in connection with Islampur P.S. Case No. 274 of 2020 registered for the offences punishable under Sections 302/34 of the Indian Penal Code 1860.

The allegation, as per the First Information Report, is that in the morning of the fateful day there was a quarrel amongst the petitioners, deceased and other family members of the informant on the point of a piece of land being given in favour of the informant by his maternal grand-father. In the same night the brother of the informant had gone to sleep on the roof of Anganbari Centre but in the morning his dead body was found hanging on the railway signal.

Learned counsel for the petitioners submits that the petitioners are relatives of the informant and the deceased, and according to the First Information Report, there was a quarrel between the family members and the petitioners regarding a piece of land being given in favour of the informant by his maternal grand-father which was objected by the petitioners. Learned counsel further submits that the petitioner of Cr. Misc. 30970 of 2021, namely, Ram Binay Yadav and petitioner Vinod Yadav of Cr. Misc. 55771/2021 are *Mausa* of the informant



whereas petitioner Ranjit Kumar of Cr. Misc. No. 38833/2021 is cousin brother of the informant who reside in a separate village. He also submits that the petitioners have been made accused on the basis of suspicion only and there is no eye witness to the occurrence. The informant has disclosed the name of three persons who had allegedly seen the deceased going along with the petitioner in the night of the fateful day. He also submits that it does not stand to reason that some quarrel had taken place in the morning and the deceased will go along with the petitioners in the night, and except the statement of the witnesses that the deceased was seen with the petitioners, there is no other material to connect them in the present offence. He next submits that the petitioners have been made accused on the basis of suspicion with oblique reason. They have got no criminal antecedents and are in custody since 7.1.2021, 6.2.2021 and 9.2.2021 respectively.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that there is no eye witness to the incident and the petitioners reside in a separate village, and except suspicion, no *prima facie* evidence is there to connect the petitioners with the present offence and they are in custody since 7.1.2021, 6.2.2021



and 9.2.2021 respectively, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda, in connection with Islampur P.S. Case No. 274 of 2020 subject to the condition that the petitioners will be well represented on each date in the trial and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

