

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57094 of 2021

Arising Out of PS. Case No.-9 Year-2020 Thana- BALIYA District- Begusarai

=====

Ram Lagan Yadav S/O Pramod Yadav R/O Village-Danauli, Phulwaria, P.S.-
BALLIA, District-Begusarai.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Ballia P.
S. Case No.09 of 2020, instituted for the offences under
Sections 302, 201, 120B/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 04.01.2021, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

The learned counsel for the petitioner further submits
that the informant alleges that his son had gone for a walk and
the informant was also at some distance behind him and when
the deceased reached near the house of Bijay Rajak, the
informant saw his named agnates had caught his son armed with



pistol and Sanjeet Yadav put pistol on the head of the deceased. Accordingly, the informant came back to the village and narrated the occurrence to the villagers and again went to the place of occurrence and did not find anyone and on search, the dead body of the deceased was found in a mustered field. Thus, alleges that accused persons killed his son on account of land dispute.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the case. The informant has specifically named his agnates as the assailant and the petitioner is not named in the F.I.R. It is submitted that the informant by way of after thought had taken the name of the petitioner in his re-statement before the police. The learned counsel submits that had the petitioner being present at the place of occurrence then the informant would have named him in the F.I.R. itself.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in this case and is not named in the F.I.R., 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 Mr. Sunil Kumar, learned Judicial Magistrate-1st Class, Begusarai in connection with Ballia P. S. Case No.09 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

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

