

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63065 of 2021

Arising Out of PS. Case No.-49 Year-2021 Thana- LAUKAHI District- Madhubani

RAM VILAS YADAV Son of Adhikari Yadav Resident of Village - Phulparas,
P.S. - Phulparas, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 19.03.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the informant alleges that on 18.03.2021 at 9:00 am, villagers informed that his son was shot and his dead body was thrown near Bhutahi Balan embankment, thus on the basis of suspicion, informant alleges against four accused persons, including the petitioner, that they killed his son on account of previous enmity.

Learned counsel for the petitioner submits that from



bare perusal of the allegation as alleged in the F.I.R. it would manifest that informant is not an eye-witness to the occurrence and the entire allegation is based on suspicion. It is further submitted that in the F.I.R. it is alleged that accused persons killed the deceased on account of previous enmity but the F.I.R. does not even remotely suggest that what kind of enmity the accused were harboring with the deceased.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent charge-sheet has been submitted in the case, the informant is not an eye-witness to the occurrence and taking into consideration the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with S.T. No. 199 of 2021 arising out Laukahi (Narhiya O.P.) P.S. Case No. 49 of 2021).

(Satyavrat Verma, J)

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