

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65464 of 2021

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

Shibu Yadav S/O Binda 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 : Ms. Kumari Shubham

For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-04-2022 Heard learned counsel for the petitioner and learned APP
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.

The learned counsel for the petitioner submits that the petitioner is in custody since 05.04.2021, 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 on 18.03.2021 at about 9.00 A.M., the villagers informed that his son was shot and his dead body was thrown near embankment. Thus, on the basis of suspicion, the informant alleges against four accused persons including the petitioner that they killed his son on account of previous enmity.

The learned counsel for the petitioner submits that from



bare perusal of the allegation as alleged in the F.I.R., it would manifest that the 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 suggest that what kind of enmity the accused were harboring against the deceased.

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 the informant is not an eye witness to the occurrence and taking into consideration the submissions made by the learned counsel for the petitioner, 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 learned Court below where the case is pending in connection with Laukahi (Narahiya O.P.) P. S. Case No.199 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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