

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68906 of 2021**

Arising Out of PS. Case No.-499 Year-2020 Thana- BANKA District- Banka

KAILU YADAV @ KAILASH YADAV Son of Late Jageshwar Yadav
Resident of Village- Prabhawati Nagar, P.O. Domuhan, P.S.- Banka, District-
Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 21-04-2022 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 under Sections 341, 342, 302 and 34 of the Indian Penal Code read with Section 7(C) of the Protection from Lynching Act, 2017.

Learned counsel for the petitioner submits that the petitioner is in custody since 17.08.2021, 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 he got information that his son is being assaulted, after being tied, in the house of Kishundeo Yadav, accordingly he reached the place of occurrence and saw the named accused persons, including the petitioner, assaulting his



son. It is further alleged that his son died at the spot on account of assault and the reason for the occurrence was that the wife of Kishundeo Yadav was having illicit relation with the deceased.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and co-accused Kishundeo Yadav and Lalita Devi have been granted bail vide order dated 27.08.2021 passed in Cr. Misc. No. 6295 of 2021. It is further submitted that allegation in the F.I.R. with regard to assault relating to the petitioner is general and omnibus in nature.

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

Considering the fact that the petitioner is in custody since 17.08.2021, charge-sheet has been submitted in the case, is a person with clean antecedent and the co-accused have been granted bail, 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 Banka P.S. Case No. 499 of 2020.

(Satyavrat Verma, J)

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