

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69156 of 2021

Arising Out of PS. Case No.-34 Year-2020 Thana- KATORIYA District- Banka

1. CHANDAN YADAV Son of Jamun Yadav Resident of Village - Dokhari, P.S.- Katoria, Distt.- Banka.
2. CHANDRA SHEKHAR YADAV Son of Basudeo Yadav Resident of Village - Dokhari, P.S.- Katoria, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.
For the Opposite Party/s : Mr.Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-05-2022 Heard.

The petitioners seek regular bail in connection with Katoriya P.S. Case No. 34 of 2020, registered for the offence punishable under sections 302/34 of the Indian Penal Code.

The case of the prosecution in brief is that while the son of the informant was returning to his house on his motorcycle, accidentally his motorcycle is stated to have dashed with the motorcycle of the co-accused person namely Guddu Yadav, where-after the accused persons including the petitioners herein had caught the son of the informant and had taken him to a nearby coaching center, where he was brutally assaulted, resulting in his death during the course of treatment.



The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case, are having a clean antecedent and are languishing in custody since 03.08.2021. The learned counsel for the petitioners has further submitted that similarly situated co-accused persons have already been granted bail by co-ordinate Benches of this Court vide order dated 3.9.2021 passed in Cr. Misc. No. 33406 of 2021 and order dated 5.1.2022 passed in Cr. Misc. No. 33690 of 2021.

Per contra, Shri Ashok Kumar, the learned APP for the State, has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the parties and taking into account the materials available on record as also considering the parity of the case of the petitioners with that of the co-accused persons, who have already been granted bail by co-ordinate Benches of this Court, I deem it fit and proper to admit the petitioners to the privilege of regular bail.

Accordingly, the petitioners, above named, are directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned court of Chief Judicial Magistrate,



Banka in connection with Katoriya P.S. Case No. 34 of 2020.

(Mohit Kumar Shah, J)

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