

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69290 of 2021**

Arising Out of PS. Case No.-207 Year-2021 Thana- NARPATGANJ District- Araria

GANESH YADAV Son of Jagdish Yadav Resident of Village - Khairachanda
(Deviganj), P.S. - Narpatganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, A.P.P.

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

2 31-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 201, 120(B) and
379/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 08.09.2021, is a person with clean
antecedent and charge-sheet has been submitted.

The informant alleges that his son Prakash Kumar Das
(deceased) left his house saying that he is going to Chakardaha
but went to participate in the marriage ceremony in his own
village on 05.05.2021 and when the deceased did not return in
the morning, the informant along with the family members



started searching but the deceased was not found. Further, on 07.05.2021, the dead body of the deceased was recovered near the bamboo clamp beside the road with sharp cut injuries on head. The informant alleges that his neighbour Kalanand Das, Ramesh Mandal and Krishna Mandal had threatened the son of the informant that he will be murdered. It is further alleged that the petitioner was friend of the deceased and used to come to his house often but, after the occurrence, the petitioner has not come to his house. Further, a call from the village came on the mobile of the deceased and the caller said that the deceased was developing relationship with his wife. Thus, on suspicion, the informant alleges that the accused persons might have killed his son.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. From bare perusal of the allegation as alleged in the FIR, it would manifest that at best against this petitioner, it is alleged that he used to come to the house of the informant often being friend of the deceased but after the occurrence he has not come and, thus, a suspicion has been raised. Learned counsel further submits that co-accused Kalanand Das has been granted bail by order dated 30.03.2022 in Cr. Misc. No. 63900 of 2021 and Ramesh



Mandal has been granted bail by order dated 10.03.2022 in Cr. Misc. No. 59595 of 2021.

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

Considering the fact that the petitioner is in custody since 08.09.2021, is a person with clean antecedent and charge-sheet has been submitted and the entire allegation hinges around suspicion, the petitioner, above named, is directed to 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 learned Court below where the case is pending in connection with Narpatganj P.S. Case No. 207 of 2021.

(Satyavrat Verma, J)

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