

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69924 of 2021**

Arising Out of PS. Case No.-150 Year-2019 Thana- NARPATGANJ District- Araria

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BIRENDRA YADAV @ BIREN YADAV @ LALU YADAV @ LALU S/O
SATYA NARAYAN YADAV, R/o village- Tamganj, P.S.- Narpataganj,
District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Akshay Lal Pandit

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 27-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as

the learned counsel for the informant as well as Mr. Akshay Lal

Pandit, the learned APP for the State.

The petitioner apprehends his arrest in connection with

Narpatganj P.S. Case No. 150 of 2019 registered for offence

punishable under section 302/34 of the Indian Penal Code.

The informant, Manjula Devi is mother of Kanchan

Kumari, aged about 17 years (deceased). As per *fardbeyan* of

the informant Manjula Devi, her daughter Kanchan Kumari was



sleeping in the courtyard of her house. Meanwhile, Mithun Bahardar, Pankaj Bahardar, Ranjeet Bahardar, Sitaram Bahardar and Ashok Bahardar entered into the house of the informant equipped with lathi, stick, farsa, sword etc. They dragged away Kanchan Kumari after catching her locks of hair and after putting rope around her neck, they strangled her to death.

The learned counsel for the petitioner has submitted that the petitioner is not named in the FIR. The mother of the deceased is the informant. She specifically named five accused persons. She is an eye-witness. She did not name the present petitioner. The learned counsel for the petitioner has submitted further that the petitioner is a Mukhiya. There was some dispute between the FIR named Mithun Bahardar and the present petitioner and it was the reason that he has falsely been implicated in the present case.

On the other hand, Mr. Akshay Lal Pandit, the learned APP, has opposed the prayer for bail.

Considering the above mentioned facts and circumstances, the petitioner above named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of



learned Chief Judicial Magistrate, Araria in connection with
Narpatganj P.S. Case No. 150 of 2019, subject to condition as
laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the
petitioner within the stipulated time mentioned hereinabove,
failing which, the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

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