

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10073 of 2023

Arising Out of PS. Case No.-332 Year-2022 Thana- KUMAR KHAND District- Madhepura

Gopal Yadav Son Of Bindeshwari Pd. Bindeshwary Yadav R/O Village-
Sakhasan, P.S.- Kumar Khand, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-07-2023 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302/120(B)/201/34 of the Indian Penal Code.

As per prosecution case, the allegation against the petitioner along with other co-accused is that they have committed murder of the sister-in-law (*Nanad*) of the informant under the conspiracy.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case merely on suspicion. There is general and omnibus allegation against the petitioner. There is no eye witness of the alleged occurrence. Nothing incriminating article has been recovered from the possession of the petitioner. The petitioner is brother-in-law of the husband of the deceased who is residing in another village and



he has no concern mess and business of the deceased and her husband. Similarly situated other co-accused persons have already been granted bail by different co-ordinate Bench of this Court vide order dated 10.05.2023, 15.05.2023 and 23.05.2023 passed in Cr. Misc. No. 13931 of 2023, 12037 of 2023 and 23880 of 2023 respectively. It is also submitted that petitioner is languishing in judicial custody since 28.09.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Kumar Khand P.S. Case No. 332 of 2022 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 A.C.J.M.-II, Madhepura.

(Sunil Kumar Panwar, J)

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