

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23120 of 2023

Arising Out of PS. Case No.-628 Year-2022 Thana- RAJAOLI District- Nawada

Chhoteylal Yadav @ Chhotey Lal Prasad Yadav Son Of Late Ganauri Yadav
Resident Of Village-Mohalla-Bahadurpur, Police Station-Rajauli, District-
Nawada

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. NK Agrawal, Senior Advocate Mr. Vibhuti Ranjan Sonvadra, Advocate
For the State	:	Mr. Prem Kumar Jha, Addl Public Prosecutor
for the informant		Mr. AK Bhardwaj, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-07-2023 Heard learned counsel for the petitioner, the State and
the informant.

The petitioner apprehends arrest in a case registered
for the offence punishable under sections 307/302 and other
allied sections of the Indian Penal Code and section 27 of the
Arms Act.

As per the prosecution case, all the FIR named
accused persons including the petitioner caught informant's
brother and thrashed him on the ground. Thereafter, petitioner
and co-accused Pradeep Kumar rode over the body and pressed
the neck of the victim and co-accused Naresh Prasad Yadav
inserted iron rod in the head of the informant's brother causing
his death on the spot.



Learned counsel appearing for the petitioner submits that due to long standing dispute, petitioner has falsely been implicated in this case. Besides this, petitioner is only alleged to have pressed the neck of victim and he is not the author of the injury causing death of the victim. Post mortem report also reveals that deceased had sustained only one injury in the head.

Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Nawada in Rajauli Police Station Case No. 628 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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