

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24025 of 2023

Arising Out of PS. Case No.-362 Year-2020 Thana- FALKA District- Katihar

Rakesh Yadav @ Rakesh Kumar Yadav, aged about 22 years, son of Mahendra Yadav @ Fulo Yadav, resident of village- Gopal Patti, PS-Falka, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Falka PS Case No.362 of 2020 dated 11.11.2020, instituted for the offence punishable under Sections 302, 201/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that in the night of 10.11.2020, a call was received by the son of the informant from mobile no. 7717659298 upon which he went outside the house without informing any one. On the next morning, co-accused Lalan Yadav informed the informant about the death of his son as his dead body was hanging from a tree.

4. Learned counsel for the petitioner submits that the



petitioner is not named in the FIR. FIR has been lodged against three persons. Learned counsel further submits that there is no eye witness to the occurrence and only on suspicion he has been made accused in this case. Learned counsel further submits that one named co-accused, Lalan Yadav, has been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 01.11.2022 passed in Cr. Misc. No. 26352 of 2022. The petitioner is in custody since 18.11.2022 having clean antecedents and charge-sheet has been submitted in the case.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar, in Falka PS Case No.362 of 2020.

(Khatim Reza, J)

J. Alam/-

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