

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39243 of 2022

Arising Out of PS. Case No.-203 Year-2021 Thana- RAJAON District- Banka

PANKAJ YADAV Son of Uma Kant Yadav Resident of Village - Bhat
Korama, P.S.- Rajoun , Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 21277 of 2022

Arising Out of PS. Case No.-203 Year-2021 Thana- RAJAON District- Banka

BRAJESH YADAV Son of Uma Kant Yadav Resident of Village - Bhat
Korama, P.S.- Rajoun, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 39243 of 2022)

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

(In CRIMINAL MISCELLANEOUS No. 21277 of 2022)

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

5 20-01-2023

Heard learned counsel for the parties.

The petitioners have preferred this application for
grant of regular bail in a case registered under sections 302 and
34 of the Indian Penal Code.

As per the prosecution case, the two petitioners
herein took away the husband of the informant for work in the
night. The informant states that the next morning she heard a
halla to the effect that her husband had died. She states that she
is convinced that the accused persons had murdered him.



It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. The informant is admittedly not an eye witness to the occurrence. Referring to various paragraphs of the case diary including paragraph nos.14, 15, 16 and 79, it is submitted that the husband of the informant died in an accident involving a tractor. The petitioners are in custody since 28.4.2022 and 26.2.2022 respectively and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, the material that has transpired in course of investigation, the petitioners being in custody for more than 8 months and investigation in the case having concluded, the Court directs the petitioner to be enlarged on bail in connection with Rajoun P.S. Case no.203 of 2021 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka.

(Partha Sarthy, J)

Saurabh/-

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