

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.40912 of 2023**

Arising Out of PS. Case No.-125 Year-2022 Thana- ADAPUR District- East Champaran

BISHAL KUMAR @ VISHAL KUMAR @ NARESH KUMAR S/O LATE  
NATHU RAI @ NATHU YADAV @ NATHU RAY R/O VILLAGE-  
KACHURWARI, PS. ADAPUR (HARPUR), DIST. EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Yogendra Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR  
ORAL ORDER**

3      29-08-2023                      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, 201/34 of the Indian Penal Code.

It is a case of double murder. The prosecution case in nutshell is that due to land dispute petitioner committed murder of informant's son, namely, Bharat Yadav and one Manish Kumar.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and they has



committed no offence. He has falsely been implicated in the present case in the background of land dispute. It is also submitted that there is no prima facie material to show that at any point of time the petitioner was seen in the company of the deceased prior to his death. Informant is not an eye witness of the alleged occurrence. There is no consistent evidence against the petitioner. It is further submitted that since the informant admitted about enmity with the petitioner due to land dispute and earlier a case was lodged also so there is no question of going of the informant's son in the company of the accused persons. Save and except, there was a talk from petitioner's mobile on the mobile of the deceased. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 14.3.2023 passed in Cr. Misc. No. 55020. Petitioner has got no criminal antecedent and languishing in judicial custody since 25.3.2023.

Learned APP appearing for the State opposed the prayer for Bail and submitted that it is a case of double murder.

Having heard learned counsel for the parties and



taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Adapur P.S. Case No. 125 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Raxaul at Motihari, East Champaran, Motihari.

**(Sunil Kumar Panwar, J)**

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