

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44116 of 2022

Arising Out of PS. Case No.-66 Year-2022 Thana- AGAMKUAN District- Patna

RAJENDRA YADAV SON OF LATE SAKAL YADAV R/O MOHALLA-
BHAGWAT NAGAR, PRIYADARSHI NAGAR, P.S.- AGAM KUAN,
DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 31-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Sessions Trial No. 599 of 2022 arising out of Agam Kuan P.S. Case No. 66 of 2022, registered for the offences punishable under Sections 302, 379 and 34 of the Indian Penal Code.

The allegation, according to the wife of the deceased, who is the informant, is that the accused persons had arrived at the cowshed of the deceased and then upon the petitioner having given order to the accused persons to kill him, the accused person, namely, Anil Kumar Yadav had hit



the deceased on his head by an iron rod resulting in him having been grievously injured, whereafter he fell down on the ground and then the other co-accused persons had also assaulted him by sticks.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 30.01.2022. The learned counsel for the petitioner has further submitted that the deceased is the son of the petitioner, hence, he could not have imagined killing him and there is no motive ascribed to the said occurrence.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, this Court finds that the main accused in the present case is the one Anil Kumar Yadav, who is stated to have assaulted the



deceased and had hit him by iron rod resulting in him having received grievous injuries, which might have resulted in his death, apart from the fact that the petitioner is having a clean antecedent, hence, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge, Patna City, Patna in connection with Sessions Trial No. 599 of 2022 arising out of Agam Kuan P.S. Case No. 66 of 2022.

(Mohit Kumar Shah, J)

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