

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54320 of 2023

Arising Out of PS. Case No.-34 Year-2020 Thana- KATORIYA District- Banka

GIRDHARI YADAV S/O YOGENDRA YADAV R/O VILLAGE- DOKHRI,
PS. KATORIYA, DIST. BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar , Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-08-2023 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 302/34 of the Indian
Penal Code.

3. As per the prosecution case, while the informant's
son was returning to his house by motorcycle, incedientally his
motorcycle touched the motorcycle of this petitioner. Thereafter,
petitioner and other accused persons caught him and took him to
nearby Coaching center and brutally assaulted him who died
during course of treatment.

4. It is submitted that informant is not an eye witness
of the case and source of information has not disclosed in F.I.R.
As a matter of fact, son of informant died due to an accident.



F.I.R has been lodged after the delay of 3 days for which for there is no plausible explanation . Police after investigation submitted final form in the case . Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named 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 the learned Chief Judicial Magistrate , Banka in connection with Katoriya P.S. case no. 34 of 2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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