

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62851 of 2023

Arising Out of PS. Case No.-168 Year-2022 Thana- SONBERSHA RAJ District- Saharsa

Kishore Yadav S/O Ravindra Yadav R/O Village- Amritagarh, P.S- Sonbarsa
Raj, Distt.- Saharsa.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-12-2023 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 of the Indian
Penal Code and Section 27 of Arms Act.

Prosecution case in nutshell is that informant
and his family members went to sleep after taking meal.
His father along with his two sons was sleeping at the
cot at door. It is further alleged that around 1 A.M.
informant heard a loud sound and when he went to
awaken his father, he found him dead and soaked in



blood. On verification, informant found that his father has been murdered by unknown persons by gunshot injury on his head.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. F.I.R. has been lodged against unknown and the name of petitioner arrayed during investigation of this case. Informant in his restatement raised suspicion against the petitioner as deceased had called the mother of petitioner "Witch" and restrained her from taking water from the hand pump situated in the house of informant. Except suspicion there is no any evidence against the petitioner. There is no eye witness of the alleged offence. It is further submitted that charge has been framed in this case. Moreover, the petitioner is languishing in judicial custody since 15.03.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sonbarsa Raj P.S. Case No. 168 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge III, Saharsa.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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