

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61613 of 2023

Arising Out of PS. Case No.-404 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Prasant @ Lalu Kumar Yadav @ Prashant Kumar Son Of Shree Rajendra
Prasad Yadav Resident Of Village- Barari, Ps- Beren, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201 and 34 of the Indian Penal Code.

3. Allegation against the petitioner along with other co-accused persons is that they committed murder of the son of the informant and the reason behind this occurrence is said to be longstanding land dispute.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of other co-accused person before the



police which has got no evidentiary value in the eye of law. There is no eye witness of the alleged occurrence. A statement has been made in para-3 of this petition that the petitioner has got criminal antecedent. Similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide order dated 08.09.2023 in Cr. Misc No. 60109 of 2023. Moreover, the petitioner is languishing in judicial custody since 02.05.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with K.Hat(Maranga O.P.) P.S. Case No. 404 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea.

(Sunil Kumar Panwar, J)

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