

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64512 of 2022

Arising Out of PS. Case No.-95 Year-2022 Thana- RAJAOLI District- Nawada

1. Mithlesh Kumar S/O Rampyare Yadav R/V- Ramdiha Sohda, P.S.- Rajouli, District- Nawada (Bihar)
2. Vikash Kumar S/O Ramu Yadav R/V- Ramdiha Sohda, P.S.- Rajouli, District- Nawada (Bihar)
3. Bira Yadav @ Birendra Yadav S/O Mosafir Yadav R/V- Ramdiha Sohda, P.S.- Rajouli, District- Nawada (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek regular bail in connection with
Rajauli P.S. Case No. 95 of 2022 registered for the offence
under Section 302/34 of the Indian Penal Code.

Prosecution case relates to commission of murder of
informant's daughter when she went from her house for natural
call.

Learned counsel for the petitioners submits that
petitioners are innocent and they have falsely been implicated in
this case. It is further submitted that at the place of occurrence,



the petitioners' side apprehended prime accused Ravi Kumar and filed the present F.I.R against co-accused Ravi Kumar and two others for murder of daughter of the informant. However, during investigation, the police, in connivance with the main accused Ravi Kumar has also made accused to the petitioners for the killing of the victim who happens to be the cousin brothers of the victim. Moreover, the main accused Ravi Kumar has already been granted bail by a coordinate Bench of this Court vide order dated 09.12.2022 passed in Cr. Misc. No. 51474 of 2022. The petitioners are in custody since 8.9.2022. A statement has been made in para 3 of the petition that petitioners are accused in one other case that too filed by the main accused Ravi Kumar.

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

Having heard learned counsel for the parties and considering 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 released on bail in connection with Rajauli P.S. Case No. 95 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions



Judge Vith-cum-Special Judge, POCSO Court, Nawada.

(Sunil Kumar Panwar, J)

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