

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73206 of 2022**

Arising Out of PS. Case No.-507 Year-2022 Thana- KAHALGAON District- Bhagalpur

JAIKANT YADAV @ SRIKANT YADAV @ SRIKANT S/o Rajendra Yadav
@ Nazeer Yadav R/o Village- Kodawar, P.S.- Kahalgaon(Ghogha), Distt-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr.Anil Kumar, A.P.P

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 06-04-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Kahalgaon (Ghogha) P.S Case
No. 507 of 2022 dated 04.06.2022 registered for the offence
punishable under sections 302 and 201 of the Indian Penal
Code.

As per the prosecution case, some unknown
miscreants committed murder of the informant's father when he
went to perform his duty.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused Chiku Yadav who has stated the *modus operandi* as to how the occurrence took place with the association of accused persons. There is 6 days delay in lodging the F.I.R. There is no eye witness in this case. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.07.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur in connection with Kahalgaon (Ghogha) P.S. Case No. 507 of 2022, with the condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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