

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73466 of 2022

Arising Out of PS. Case No.-135 Year-2022 Thana- GAUNAHA District- West Champaran

Vishal Kumar Yadav @ Sipahi Yadav Son of Suresh Yadav, Resident of Patkhauri P.S- Gaunaha, Dist- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the State : Mr. Shyam Kumar Singh, APP.

For the Informant : Mr. Umesh Kumar Gupta, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 25-03-2023 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State as well as learned counsel for the Informant.

The petitioner seeks regular bail in connection with Gaunaha P.S. Case No. 135 of 2022, lodged under Sections 302/120B/34 of the Indian Penal Code but later on Section 306 of Indian Penal Code.

As per prosecution case, the allegation of killing is there against the present petitioner by hanging to the informant's daughter.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that the Police after investigation has submitted the charge sheet under Section 306 of I.P.C. He also submits that

one criminal case is pending against the petitioner, in which, he is persuading for bail. Learned counsel for the petitioner further submits that petitioner is in custody since 27.08.2022.

Learned counsel for the State opposes the prayer for bail.

Leaned counsel for the informant vehemently opposes the prayer for bail and submits that case diary may be called for and petitioner may not be released on bail as well as there is an allegation of murder in the F.I.R.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bettiah, West Champaran in connection with Gaunaha P.S. Case No. 135 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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