

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.754 of 2023

Arising Out of PS. Case No.-126 Year-2022 Thana- MURLIGANJ District- Madhepura

Vimal Kumar Son Of Ganesh Yadav Resident Of Village- Belo Piprahi, Ward
No.- 6 P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302, 120B,
379, 201, 34 of the Indian Penal Code.

As per prosecution case, the informant alleged that his
brother had worked to provide loan amount from Bank with one
Prabhas Kumar and on 10.3.2022, co-accused Ramvilash Yadav
and other FIR named persons came his house on three motorcycle
and took his brother at Piprahi to attended a 'Murga Party' at the
house of Nitish. Subsequently, the dead body of informant's
brother was found laying on the road. Thereafter, this case has
been lodged.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The



petitioner is not named in FIR and during course of investigation, the investigating officer made a different theory of present case and on the basis of that, this has falsely been implicated in this case. There is no eye-witnesses of the alleged occurrence and entire prosecution hinges around merely on suspicion. Moreover, similarly situated co-accused namely, Raj Nandan Yadav has already been granted bail by a co-ordinate Bench of this Court vide order 31.1.2023 passed in Cr. Misc. No. 42761 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 9.6.2022.

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 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 Murliganj P.S. Case No. 126 of 2022 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., Madhepura.

(Sunil Kumar Panwar, J)

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