

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16868 of 2024

Arising Out of PS. Case No.-178 Year-2023 Thana- DHANARUA District- Patna

Bhola Prasad @ Bhola Yadav Son of Late Rampati Yadav @ Rampati Prasad
Resident of Village- Chhati, P.S. Dhanarua, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ajay Kumar Sinha, Advocate

For the State : Mr. Nirmal Kumar Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Dhanarua P.S. Case No. 178 of 2023 instituted for the offence
under Sections 302, 34, 120(B) of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per the prosecution case, the informant alleged
that while he was sleeping with his wife, two persons entered
and shot his wife twice which proved fatal. He has held his
family members which includes Sukhdev Prasad (his brother),
Vidyanand Prasad (nephew) as also for killing as they were



eyeing on his land, he being childless and had adopted one of his another nephew, Uttam Kumar.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 10-08-2023. Petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Kamindra Kumar. Other co-accused has been granted bail by a Co-ordinate Bench of this Court, *vide* order dated 22-02-2024, passed in Cr. Misc. No. 10571 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhanarua



P.S. Case No. 178 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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