

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12982 of 2024

Arising Out of PS. Case No.-383 Year-2023 Thana- BELHAR District- Banka

Prakash Yadav Son of Anandi Yadav Resident of Village- Badala, P.S.-
Belhar, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandan Prasad

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302 and 120B of the Indian Penal Code and Section 27 of Arms Act.

3. Prosecution case in short, is that, the husband of the informant went to market with one Chandan Kumar on a motorcycle. But at evening, informant got information that someone shot her husband and his body is lying beside the water tank under Behhar road. On getting information, informant along with her mother-in-law arrived at the place of occurrence and identified the deceased as her husband.

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



falsely been implicated in this case due to village politics. Informant is not an eye witness of the alleged occurrence rather only suspicion has been raised by her. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 09.01.2024 in Cr. Misc. No. 79032 of 2023. Moreover, the petitioner is languishing in judicial custody since 19.10.2023.

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

6. 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 Belhar P.S. Case No. 383 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-III, Banka.

(Sunil Kumar Panwar, J)

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