

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23522 of 2024

Arising Out of PS. Case No.-54 Year-2023 Thana- KESARIA District- East Champaran

JITENDRA KUMAR YADAV S/O GANBHIRA RAI @ GAMBHIRA RAI
R/O Village- Mangalpur, P.S.- Dumaria Ghat, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachina

For the Opposite Party/s : Mr.Bharat Lal

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 04-07-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Kesaria P.S. Case No. 54 of 2023, registered for the offences punishable under Sections 365 of the Indian Penal Code later on Section 302 of the IPC was added.

3. As per allegation, father of the informant was looking after his under construction house. The mother of the informant went there with breakfast for the father of the informant, but his father was not found there. In afternoon, son of the informant also carried meal for him but at that time also his father was not there. The dead-body was recovered from the semi-built house of the informant.

4. Learned counsel for the petitioner submits that in



the entire case diary no material emerged against the petitioner. In the FIR, the informant has not named the petitioner but in his re-statement though he named the petitioner but no allegation was made. The only thing which has been mentioned in re-statement of the informant is that the deceased and the petitioner used to warm themselves from bonfire.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for bail.

6. There is nothing in the entire investigation which connects the occurrence with the petitioner.

7. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran in connection with Kesaria P.S. Case No. 54 of 2023, subject to the following condition:-

The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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