

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20130 of 2024

Arising Out of PS. Case No.-252 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

JAGDISH PATHAK S/o Late Awadhilal Pathak Resident of Mehdashahpur,
Ward No.-1, P.S.-Cheriya Bariyarpur, Dist.-Begusarai, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar, Advocate
For the Opposite Party/s : Ms.Rita Verma, APP

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

ORAL ORDER

2 19-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Cheriya
Bariyarpur P.S. case No. 252 of 2023 instituted for the offences
under Sections 302/34 of the Indian Penal Code.

3. Prosecution case, in short, is that petitioner along
with other co-accused persons killed the deceased by
strangulating him.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel for the petitioner submitted that general and
omnibus allegation has been made against the petitioner. No
specific overt act is alleged against the petitioner. Learned



counsel further submitted that petitioner is a 73 year old senior citizen and happens to be the grandfather-in-law of the deceased and suffering from several old age ailments. Petitioner has got no concern with the alleged occurrence and he has been dragged in this case merely because he happens to be the family members of the wife of the deceased. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.01.2024 and has no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case, clean antecedent as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 Cheriya Bariyarpur P.S. case No. 252 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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