

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27123 of 2024

Arising Out of PS. Case No.-264 Year-2020 Thana- PALASI District- Araria

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Baijnath Yadav @ Baidhnath Yadav Son of Lal Yadav @ Sonai Yadav
Resident of Village- Karor Dighli, Ward No. 11, Panchayat Dighli Near Road,
Anchal Palasi, Kankhudia, P.S.Palasi, District- Araria (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Kumar Ravish, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-07-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner seeks regular bail in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. As per the prosecution case, when the informant heard screaming sound of his father-in-law, he rushed outside the house and saw this petitioner and other accused persons were taking his father-in-law towards their house. The accused persons had tied his hands and feet and were assaulting him causing his death.

4. Learned counsel for the petitioner submits that the informant is a man of dubious character and he himself has killed his father-in-law and has falsely implicated the petitioner



in this case. He submits that though informant claims himself to be eye witness but he came to the place of occurrence after commission of incident. There is general and omnibus allegation against the petitioner and 13 other accused persons named in the FIR and post mortem report does not support the allegation. Petitioner claims clean antecedent. Petitioner is in custody since 4th September, 2023. Co-accused, with similar allegation, has already been allowed pre-arrest bail by a co-ordinate bench of this Court vide order passed in Cr.Mis.No. 26968/2021.

5. Learned counsel for the State opposes the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for regular bail of the petitioner is allowed. Let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in Palasi Police Station Case No. 264 of 2020.

(Prabhat Kumar Singh, J)

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