

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29978 of 2024

Arising Out of PS. Case No.-161 Year-2022 Thana- PIRI BAZAR District- Lakhisarai

Sri Yadav, Son of Late Brahamdev Yadav, Resident of Village- Lahsodwa,
P.S.- Piri Bazar, Dist- Lakhisarai (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rabi Bhushan, Advocate

For the State : Mr. Binod Kumar No. 3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks regular bail in connection with Piri Bazar P.S. Case No. 161 of 2022 dated 18.11.2022 registered for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code.

3. Mr. Rabi Bhushan, learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case on the basis of mere suspicion, in fact, from the FIR, it is clearly evident that there is no specific allegation against the petitioner rather the entire allegations are general and omnibus and during the course of investigation, no direct evidence or material came against this petitioner to suggest his involvement in the alleged crime. Learned counsel further submits that the petitioner was not even present at the



relevant date and time near the place of occurrence and the FIR of the present case was lodged by the informant with an inordinate delay of two days without any proper explanation and during investigation, no previous enmity in between the informant's family and the deceased's family came into light. Learned counsel further submits that since there is no specific allegation against this petitioner and he has been languishing in jail since 05.02.2024, having fair and clean antecedent and similarly situated co-accused persons namely, Bonu Yadav @ Bona Yadav and Karelal Yadav have been granted bail by this Bench vide order dated 25.07.2023 passed in Cr. Misc. Nos. 43664 of 2023 and 43948 of 2023 respectively.

4. Mr. Binod Kumar No. 3, learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Having regard to the afore-mentioned submissions and the facts that there is no specific allegation against this petitioner and prosecution's case is based on suspicion in respect of petitioner's involvement in the alleged crime and some above-mentioned similarly situated co-accused are on bail, and also, the petitioner has fair and clean antecedent, so in the opinion of this Court, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be released 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 concerned Court in connection with Piri Bazar P.S. Case No. 161 of 2022.

(Shailendra Singh, J)

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