

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36874 of 2024

Arising Out of PS. Case No.-578 Year-2023 Thana- BELAGANJ District- Gaya

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Raju Yadav Son of Suresh Yadav Resident of Village - Paluhan Tola, Murar
Bigha, Police Station - Konch, District - Gaya

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey (APP.84)

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

ORAL ORDER

3 23-09-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Sessions Trial No. 222 of 2024 arising out of Belaganj P.S. Case No. 578 of 2023, registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

3. Father of the deceased is the informant. He makes allegation that his son (the deceased) had gone with co-accused Ajay Kumar, Golu Kumar and Gautam Kumar by a Scorpio on 21.08.2023. On 24.08.2023, the dead body of his son was found.

4. It has been submitted on behalf of the petitioner that three accused persons have specifically been named in the



FIR and the petitioner's name is not mentioned in the FIR. He further submits that after one month of the occurrence, two witnesses turned up before investigating authorities and their statements have been recorded in Paragraph 28 and 29 (wrongly mentioned as Paragraph 27 of the case diary) in which they stated that they had also seen the petitioner with the deceased along with other co-accused persons. Paragraph 29 contains the statement of father-in-law of the deceased. It is surprising that after about one month of the occurrence, these witnesses turned up before the investigating authorities and taken the name of the petitioner for the first time. It has been mentioned in the supervision note that the accused persons of this case and the deceased were involved in looting the trucks and the deceased died due to falling out from a truck. The petitioner is under custody since 13.11.2023.

5. Learned APP for the State has opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances, 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 learned Additional Sessions Judge-XVI, Gaya in connection with Sessions Trial



No. 222 of 2024 arising out of Belaganj P.S. Case No. 578 of 2023, with condition that the petitioner shall cooperate with the trial of the case and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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