

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46748 of 2024

Arising Out of PS. Case No.-310 Year-2023 Thana- RUPAULI District- Purnia

Wakil Yadav Son Of Late Deep Narayan Yadav R.O- Kamlakund, P.S.-
Bhawanipur, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim

For the Opposite Party/s : Mr.Rita Verma

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Rupauli P.S. Case No. 310/2023 dated 13.12.2023 registered for the offence punishable u/s 302, 201 and 120B of the Indian Penal Code and Section 83(ii) of the Juvenile Justice Act.

3. As per the prosecution case, the informant's grandson was playing in the courtyard. The co-accused Kundan Rishi and Umesh Rishi took the informant's grandson by enticing him and later the informant's grandson did not return. The informant has claimed that Umesh Rishi, Kundan Rishi and Arulia Devi kill the informant's grandson due to previous



enmity under conspiracy and his dead body was thrown in the maize field near the house of the co-accused Arulia Devi.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Kundan Rishi. The petitioner has three criminal antecedents and he is on bail in all the aforesaid cases as stated in para 3 of the bail petition. The petitioner is in custody since 12.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that an eye witness Ashok Kumar in his statements recorded u/s 161 and 164 of the Cr.P.C. has stated that on the night of 11.12.2023, when he was going to sleep in his house located near the pond, the co-accused persons Umesh Rishi, Kundan Rishi, Aruliya Devi and the petitioner (Wakil Yadav) asked him to pick up Mantu Kumar's dead body and throw it away.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, Purnea in connection with Rupauli P.S. Case No. 310/2023, with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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