

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56574 of 2023**

Arising Out of PS. Case No.-756 Year-2019 Thana- FORBESGANJ District- Araria

RAJESH YADAV @ RAJESH KUMAR RANJAN Son of Narayan Prasad  
Yadav Resident of village-Bhagwanpur, Post Office-Ghordaur, P.S.-Banma  
Itahari (Salkhua), District-Saharsa ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Subesh Sharma

For the Opposite Party/s : Mr.Parmanand Prasad

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

**ORAL ORDER**

4      27-02-2024                      Heard learned counsel for the petitioner as well as the  
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Forbesganj P.S. Case No. 756 of 2019, registered for the offences punishable under Sections 302, 201, 120(B)/34 of the Indian Penal Code.

3. As per allegation, the informant lodged FIR against unknown persons. The informant's son went out of his house for serving the Kawariya but did not return. During course of search, the informant got an information on his mobile by the police officer that the body of informant's son was found hanging dead with a tree.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. As a matter of fact, the deceased and daughter of the co-accused, with whom, the deceased had love affairs were under tutelage of the petitioner, which transpires from the statement of



witness Jaikant Yadav, whose statement has been recorded in paragraph no. 106 of the case diary. There is one another Rajesh Yadav, who is brother of the co-accused Sanjay Yadav as per paragraph no. 123 of the case diary. Co-accused Sanjay Yadav and one Rajesh Yadav son of Madhusudan Yadav, own brothers were involved in the alleged occurrence. The name of the petitioner is also Rajesh Yadav but his father's name is Narain Yadav and he is not the Rahesh Yadav which name has figured in paragraph no. 123 of the case diary and whose complexity has been figured in this case.

5. On the other hand, learned APP has opposed the prayer for bail.

6. From perusal of paragraph no. 106, 107, 123 of the case diary, it appears that the petitioner is not the same person.

7. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 756 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Nawneet Kumar Pandey, J)**

Nirmal/-

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