

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53628 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- RIVILGANJ District- Saran

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Brajesh Kumar Yadav S/O Umashankar Yadav R/O Village-Khairwar,P.S.-
Rivilganj,Distt-Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Brajesh Kumar Singh, Advocate
For the Opposite Party : Mr.Jai Narain Thakur, APP

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

ORAL ORDER

2 19-08-2024 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 Rivilganj P.S. Case No. 53/2024 dated 28.02.2024 registered for the offence punishable u/s 302 read with 34 of the Indian Penal Code.

3. As per the prosecution case, when the informant's nephew went for running. In the meantime, the petitioner pressed the mouth of the informant's nephew and the co-accused person with an intention to kill stabbed knife on his back. Further, the co-accused, Niraj Kumar Yadav inflicted blow of knife which hit the chest below the neck of



the informant's nephew. Thereafter, the injured was taken to the hospital where he succumbed to the injury on 26.02.2024.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The specific allegation of stabbing knife on the deceased is against the co-accused Niraj Kumar Yadav. Learned counsel has submitted that the informant is not an eye witness of the alleged occurrence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 29.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

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, Saran at Chapra in



connection with Rivilganj P.S. Case No. 53/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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