

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65895 of 2024

Arising Out of PS. Case No.-223 Year-2024 Thana- NARPATGANJ District- Araria

1. Dipo Yadav @ Dip Narayan Yadav Son of Late Rasik Lal Yadav Vill -Khaira Chanda, Ward No 11 PS- Narpatganj, Distt -Araria
2. Niraj Yadav @ Niraj Kumar Yadav Son of Dipo Yadav @ Dip Narayan Yadav Vill -Khaira Chanda, Ward No 11 PS- Narpatganj, Distt -Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 19-11-2024 Heard learned counsel for the petitioners and learned APP
for the State. Perused the case diary.

2. The petitioners seek bail in connection with Narpatganj P.S. Case No. 223 of 2024 instituted for the offence under Sections 302, 201, 120B & 34 of the Indian Penal Code.

3. Prosecution case in short is that co-accused persons including the petitioners have murdered the son of the informant.

4. It has been submitted on behalf of the petitioners that the petitioner are in custody since 19-04-2024. Petitioners are man of clean antecedent.

5. It has been further submitted by the petitioners'



counsel that petitioners have been falsely implicated in the present case merely on the basis of suspicion. There is no specific allegation against the petitioners rather allegation is general and omnibus in nature. There is no eye witness to the occurrence. As per postmortem report, cause of death is asphyxia as a result of strangulation. It is next submitted that son of the informant went missing since 16-04-2024, but in this regard, he has not filed any informatory petition. It is lastly submitted that charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Referring to paragraph Nos. 6, 7 & 8, it is submitted that witnesses have supported the prosecution case.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, there being no specific allegation against the petitioners and charge sheet being submitted, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with



Narpatganj P.S. Case No. 223 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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