

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67917 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- Babarganj District- Bhagalpur

Jaiki Yadav, Male, aged about 24 years, S/O Dinesh Yadav, R/O Chakkadih,
P.S. -Banka, Distt.- Banka, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Madan Mohan, Advocate

For the Opposite Party : Mr. Nitya Nand Tiwary, A.P.P.

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

ORAL ORDER

3 17-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Babarganj P.S. Case No. 03 of 2024 dated 06.04.2024 registered for the offences punishable under Sections 302 read with Section 34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, on 05.04.2024 at about 3.30 P.M., the co-accused persons, Ranjan Yadav, Rahul Singh, Sunil Yadav, Chanik Yadav, Sagar Yadav and Ankit Yadav entered the room of the informant's house, in which Pawan Yadav, who was the brother-in-law (Dewar) of the informant, was present and the co-accused Ranjan Yadav and Manas Singh @ Rahul Singh fired on the temple of Pawan Yadav due to



which, he died in the room. It is further alleged that on 18.03.2024, the co-accused Ranjan Yadav and Rahul Singh alongwith the aforesaid accused persons attacked with arms on the house of the informant in which her brother-in-law (Bhaisur) Uma Kant Yadav anyhow saved his life.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner is not named in the F.I.R. His name has surfaced in the present case during the course of investigation when he was seen at the place of occurrence in the CCTV footage obtained from the house of one Bindeshwari Prasad Sah which is situated near the place of occurrence. There is no allegation of firing against the petitioner rather the same is against the co-accused Ranjan Yadav and Manas Singh @ Rahul Singh. No incriminating article has been recovered from his possession. The petitioner is being made a scapegoat in order to protect the real culprits of the crime. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 11.04.2024.

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



6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, 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 the learned C.J.M., Bhagalpur in connection with Babarganj P.S. Case No. 03 of 2024 with further 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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

