

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70125 of 2023

Arising Out of PS. Case No.-10 Year-2021 Thana- KUSHESHWARASTHAN District-
Darbhanga

=====

Vishundeo Yadav S/O Late Ram Nath Yadav R/V- Bhuskarba, Ps. K. Asthan,
Dist. Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201 and 34 of the Indian Penal Code and Section 27 of Arms Act.

3. Allegation against co-accused person, namely, Uma Shankar Yadav is that he came at the house of the informant and took her husband for driving the tractor but did not return. Later on, she received information that her husband has been murdered by him along with this petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. No any specific overt act of commission of murder against the petitioner rather the main



accused(Uma Shankar Yadav) of this case who came at the house of the informant and took her husband with him, has already been granted bail by learned court below. It is further submitted that from para- 49, 52 and 61 of the case diary, witnesses did not support the prosecution case. There is no eye witness of the alleged occurrence. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 05.06.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with K. Asthan P.S. Case No. 10 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Biraul, Darbhanga.

(Sunil Kumar Panwar, J)

shubham/-

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

