

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68115 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- NAURANGIA District- West Champaran

Prawesh Yadav @ Ram Prawesh Yadav Son of Mallu Yadav @ Ramdhari Yadav Resident of Village- Bodhi Chhapar, Police Station- Hanumanganj, District- Kushinagar (U.P.)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Kumar Singh
For the Opposite Party/s	:	Mr. Pranav Kumar
For the Informant	:	Mr. Ramendara Kumar Bharti

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

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

2. The petitioner has preferred this application for grant of regular bail in connection with Naurangiya P.S. Case No. 47 of 2024 dated 15.06.2024 registered for the offences punishable u/ss 302, 201 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant's father went to graze his cattle but did not return, thereafter his dead body was found in a *Nala*. It is further submitted that earlier the petitioner and the co-accused person threatened his father to kill within a period of six months.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case due to previous enmity. It is further submitted that the informant did not file any report before police regarding missing of his father. There is no eyewitness to the alleged occurrence. The dead body of his father was recovered from the Nala and the petitioner was implicated only on the basis of mere suspicion. There is no specific allegation and overt act against the petitioner. The name of the petitioner has transpired in the confessional statement of the co-accused Subhash Yadav. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 14.08.2024.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that earlier the petitioner threatened to kill the informant's father.

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, Bagaha, West Champaran in connection with



Naurangiya P.S. Case No. 47 of 2024, with the following condition/s:-

(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 bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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