

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75511 of 2023

Arising Out of PS. Case No.-210 Year-2023 Thana- ALOULI District- Khagaria

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Dharmendra Yadav, aged about 36 years Male, Son of Triveni Yadav, Resident of Village - Santosh, Police Station - Alauli, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Alauli PS Case No. 210 of 2023 instituted for the offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code.

3. As per the prosecution case, the accused persons murdered the brother of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent has committed no offence and has falsely been implicated in this case merely on the basis of mere suspicion due to political rivalry and village politics. Informant and his family members did not see the occurrence. There is case and counter case between the parties.



5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary, postmortem report and the impugned order of the learned Additional Sessions Judge-VIIth, Khagaria dated 23.09.2023, it appears that petitioner is named in the FIR. On the basis of written report of Randhir Yadav, petitioner has been made accused. In the postmortem report the cause of death is due to Ventricular Fibrillation by electric shock. In the entire case diary no eye witness or any witness connecting the guilt with the petitioner. Petitioner is in custody since 18.05.2023, no evidence shows the complicity of the petitioner, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Khagaria in connection with Alauli PS Case No. 210 of 2023.

(Ramesh Chand Malviya, J)

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