

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84885 of 2023

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

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JITESH KUMAR Son of Botal Yadav @ Surendra Yadav R/o vill - Santosh,
P.S. - Alauli, Distt. - 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. Madhura Nand Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 25-04-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioners seek 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. It
submitted that informant and his family members did not see the
occurrence. It is also submitted that there is case and counter
case between the parties. It is further submitted that similarly
situated co-accused person has already been granted bail by this



Court through Cr. Misc. No. 75511 of 2023 on 27.02.2024. It is submitted that the petitioner is in custody since 18.05.2023.

5. Learned APP opposes the prayer for bail of the petitioners.

6. From perusal of the FIR, case diary, postmortem report and the impugned order of the learned Additional Sessions Judge-VIIth, Khagaria dated 30.09.2023, it appear 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. There is 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 Shri A.K.Pandey, Judicial Magistrate, Ist Classs, Khagaria/concerned Court in connection with Alauli PS Case No. 210 of 2023.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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