

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66979 of 2024

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

Kailash Yadav @ Kailash S/o- Late Jaikishun Yadav @ Jay Kishun 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

4 14-02-2025 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. 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. There is nothing against the petitioner except the confessional statement. The other co-accused person has already been granted bail by this court *vide* order dated 17.12.2024 passed in Cr. Misc. No. 68115/202. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.08.2024.

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 co-accused threatened to kill the informant's father. As per para. 85 of the case diary, the petitioner in association with other co-accused persons have killed the deceased. Earlier the bail application of the co-accused person has been rejected by this Court *vide* order dated 10.01.2025 passed in Cr. Misc. No. 76726/2024.



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.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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