

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74529 of 2024

Arising Out of PS. Case No.-221 Year-2024 Thana- BUXAR MUFFSIL District- Buxar

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Vinay Kumar Yadav @ Vinay Yadav S/o Sunil Kumar Yadav @ Sunil Yadav
R/o vill - Mahdah, P.S. - Buxar (M), Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr.Kamal Deo Sharma, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 18-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Buxar
(Mufassil) P.S. Case No. 221 of 2024 dated 24.07.2024,
instituted for the offence punishable under Sections 103(1), 3(5)
of the B.N.S., 2023.

3. The prosecution case, in short, is that on
23.07.2024, the husband of the informant was sleeping in front
of his house on a *Chabutara* along with Ramashankar Yadav
and Gopal Yadav. In the morning of 24.07.2024, the informant
saw her husband in severely injured condition, there was deep
injury on his head and blood was oozing out from his mouth and
nose. Thereafter, she took her husband to the hospital with the
help of locals and pattidar. During the course of treatement, the



husband of the informant died. It is alleged that five days ago, the husband of the informant told her that a co-villager has asked him to give him 5 katha land situated on road and in return he would give 18 katha land elsewhere but her husband was insisting for 20 katha land. The informant has raised suspicion that the said co-villager has killed her husband.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner and husband of the informant (deceased) are agnates. It is next submitted that petitioner has been made accused in this case merely on the basis of suspicion and self confessional statement of the petitioner. It is further stated that mobile location of petitioner was found near the place the occurrence because the petitioner is neighbour of the deceased. There is no material available in the case diary against the petitioner. It is further submitted that there is no eye witness to the alleged occurrence. It is also submitted that there is a specific allegation against another unknown person, who belongs to the same village. The FIR is against unknown. Lastly, it has been submitted that the petitioner is in custody since 01.07.2024 having no criminal antecedents and charge-sheet has been submitted in the case.



5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in Buxar (Mufassil) P.S. Case No. 221 of 2024.

(Khatim Reza, J)

Sankalp/-

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