

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77040 of 2024**

Arising Out of PS. Case No.-570 Year-2023 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Raj Kumar @ Raj Kumar Yadav S/o- Ray Saheb Yadav @ Ray Saheb Yadav
Sabik, Resident of Thengha, P.S.- Saur Bazar, Dist-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subesh Sharma, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER**

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

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 302, 120-B, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The case of the prosecution is that on 03.10.2023, the informant received an information that his son has been killed by unknown miscreants. Then he went to Bakhtiyarpur hospital. After post mortem and cremation of his son he enquired about the miscreants. He came to know that the petitioner along with seven others has killed the son of the informant. It is further alleged that these persons have also threatened the son of the informant prior to the occurrence.

4. Learned counsel appearing on behalf of the petitioner has submitted that during course of investigation the statement of the witnesses were recorded and those statements



were nothing but repetition of the FIR. From perusal of the FIR itself it is clear that nobody is eye-witness, even the father of the deceased had not seen the occurrence and even he has not disclosed as from whom did he came to know about the miscreants. From perusal of the post mortem report it transpires that the deceased has received one antemortem injury. The petitioner is in custody since 04.03.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as the period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court of CJM, Saharsa in connection with Simri Bakhtiyarpur (BKP) P.S. Case No. 570 of 2023.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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