

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29675 of 2018

Arising Out of PS. Case No.-333 Year-2017 Thana- KOTWALI District- Munger

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1. Shiv Kumar Yadav @ Shiv Kumar, S/o Late Pramod Yadav, R/o Vill.- Kemkha, P.S.- Kotwali (Basudeopur), Distt.- Munger,
 2. Munna Yadav @ Manish Yadav S/o Doman Yadav, R/o Vill.- Basudeopur, P.S.- Kotwali , (Basudeopur), Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karuna Nath Sahay

For the Opposite Party/s : Mr. Md. Ansarul Haque

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-05-2018 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Kotwali (Basudeopur) P.S. Case No. 333 of 2017, registered for the offence punishable under Sections 364/34 of the Indian Penal Code and Sections 302 and 201 of the Indian Penal Code was added.

The allegation, according to the informant is that co-accused persons namely Sunny Yadav and Hero Yadav had come to the house of the informant and had taken away her son along with them whereafter, the son of the informant was found dead. It is further alleged that subsequently, it



transpired that other accused persons including the petitioner herein were also part of the conspiracy.

The learned Senior Counsel for the petitioners submits that the present case can at best be said to be a case of last seen and accordingly, the main accused are Sunny Yadav and Hero Yadav whereas the petitioners have got no role to play inasmuch as they have been roped in the present case merely on the ground of suspicion. It is further submitted that the similarly situated co-accused persons have already been granted bail by this Court by an order dated 05.01.2018 passed in Criminal Miscellaneous No. 57739 of 2017 and order dated 08.03.2018 passed in Criminal Miscellaneous No. 13265 of 2018. It is further submitted that the petitioners No. 1 and 2 are having a clean antecedent and they are languishing in custody since 23.12.2017 and 03.01.2018 respectively.

Having regard to the facts and circumstances of the case and also the fact that similarly situated co-accused persons have already been allowed bail by this Court, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the above named petitioners are directed



to be enlarged on bail on furnishing bail bonds of Rs. 10,000/-
(rupees ten thousand) each with two sureties of the like amount
each to the satisfaction of learned Chief Judicial Magistrate,
Munger in connection with Kotwali (Basudeopur) P.S. Case No.
333 of 2017.

(Mohit Kumar Shah, J)

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