

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8225 of 2020

Arising Out of PS. Case No.-149 Year-2019 Thana- SURYAGARHA District- Lakhisarai

MALIK YADAV Son of Mushaharu Yadav, Resident of Village - Pachena,
P.S.- Lakhisarai, Distt - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Maharaj
For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 03-06-2020 Heard learned counsel for the petitioner and learned
counsel for the informant and learned counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Surajgarha P.S. Case No.149 of 2019 registered for offence punishable under section 302/34 of the Indian Penal Code and section 27 of the Arms Act.

The Informant, Poonam Devi has lodged an FIR stating therein that on 26.05.2019 at about 5.00 P.M., Malik Yadav and Sanjay Yadav came on scooty and requested the husband of informant to go along with them to see a girl for the purposes of marriage. The informant resisted her husband to go along with them. On persuasion, the husband of the informant went along with them and later on, he has been found dead in the hospital.

Learned counsel for the petitioner submits that the petitioner has no role at all in the present case. The main person Mr.



Sujit Mahto, who is involved in the case, has already been granted regular bail by a coordinate Bench of this Court in Cr. Misc. No.65175 of 2019.

From the order sheet it appears that while passing order, the Court has not examined the different paragraphs of the case diary. In the present case, case diary has been called for by earlier Bench vide order dated 25.02.2020. I have gone through the entire case diary and from different paragraphs of the case diary it appears that Sujit Mahto has illicit relationship with Poonam Devi and he has on particular day entered into the house that led to filing of the case against Sujit Mahto and later on Sujit Mahto, Sanjay Yadav and Malik Yadav have finished the victim.

In such view of the matter, this Court is not inclined to grant bail to the petitioner for the present and accordingly his prayer for bail is rejected. However, the petitioner is at liberty to move for bail at appropriate stage.

This order has been passed in presence of Mr. Mritunjay Kumar Nirala who is appearing for the State.

(Shivaji Pandey, J)

Mahesh/-

U		T	
---	--	---	--

