

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60007 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- JHAJHA District- Jamui

Mamta Yadav @ Mano Yadav (male), Son of Late Gurudyal Yadav Resident
of Village - Magahi, P.S. - Laxmipur, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar Sinha, Adv.
For the Opposite Party/s	:	Mr.Ram Priya Sharan Singh
For the Informant	:	Mr. Shailesh Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

8 15-12-2020 Heard Mr. Pankaj Kumar Sinha learned counsel for the
petitioner, counsel for the State as also learned counsel for the
Informant.

In this case, the petitioner is seeking bail in connection with Jhajha P.S. Case No. 18 of 2019 registered for offences punishable under Sections 147, 148, 149, 302, 427, 120(B) of the Indian Penal Code and Section 27 of the Arms Act and $\frac{3}{4}$ of the Explosive Substance Act.

In this case, the First Information Report has been lodged by one Sanjay Yadav @ Tapeswar Yadav alleging therein that on 18.1.2019 his relative had met with an accident and, therefore, he along with other four persons including the present petitioner went to Hospital by a four wheeler. The Informant and Babloo Kumar stayed there and other persons Rajesh Yadav, driver



Mamta Yadav and Manoj Yadav at 4.30 PM were returning. As and when they reached at village Teldiha More, the accused persons ambushed and started hurling bomb in which Rajesh Yadav and Manoj Yadav received gun shot injury due to which both of them died but, Mamta Yadav managed to flee away from there and disclosed the names of altogether sixteen accused persons. The incident has taken place on account of election dispute. It has also been alleged that the accused persons have also attacked the Informant on previous occasion which led to institution of Lakshmipur P.S. Case No. 29 of 2017 for offence under Sections 147, 148, 149, 307, 302 and 3/4 of the Explosive Substance Act and in that connection the accused persons are in jail. It has been alleged that while the accused persons, namely, Jaggu Yadav and Dharma Yadav were staying in jail custody in connection with the aforesaid Lakshmipur P.S. Case No. 29 of 2017, at their instance and connivance, the present incident has taken place.

During investigation, the name of the petitioner has transpired and he has disclosed in paragraph no. 229 of the case diary in what manner he was connived in execution of the death of two persons. He has also stated that he was given allurement that if he will cooperate in meticulous execution of crime, he will be given a land measuring 2 Katha including Rs. 30,000/-. After the incident, he fled away and, later on, he has called at Asansol where



in place of Rs. 30,000/-, he was paid Rs. 2,000/- only by Ram Khelawan Yadav and other materials are in there in the case diary showing active involvement of the present petitioner in the commission of offence.

Learned counsel for the petitioner submits that already four persons have been granted bail by this Court and submits that the confessional statement made by the petitioner has no evidentiary value.

Looking to the entirety of the matter as well as the material that has been collected during investigation as also the disclosure made by the petitioner in the confessional statement, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for regular bail of the petitioner, above named, is rejected for the present with a direction to the court below to conclude the trial expeditiously preferably within a period of eight months from the date the physical court proceeding initiates to function.

(Shivaji Pandey, J)

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