

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18663 of 2021**

Arising Out of PS. Case No.-47 Year-2020 Thana- SULTANGANJ District- Bhagalpur

PANKAJ YADAV SON OF LATE BHOLA YADAV R/O VILLAGE-
SRIRAMPUR, P.S.- AKBARNAGAR, DISTRICT- BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan
For the Opposite Party/s : Mr.APP.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

5 06-12-2021 Heard learned counsel for the petitioner and Sri
Ravindra Kumar, learned APP for the State.

Petitioner seeks bail in connection Sultanganj P.S. Case
no. 47 of 2020 registered for the offence punishable under
sections 302 and 201 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is in custody since 11.08.2020 and is person with
clean antecedent and charge sheet has been submitted. Learned
counsel for the petitioner submits that from perusal of the
allegation as alleged in the FIR, it would manifest that the
informant got information that dead body has been found near
Chhahmuhani bridge situated at Mithatti, accordingly,
informant reached at the place of occurrence and dead body was
recovered which was of a person aged about 28 years and black



helmet was found near the place of occurrence which was seized. Learned counsel for the petitioner further submits that FIR has been instituted against unknown and it was during investigation of the case Kamleshwari Yadav identified dead body as his son Raghu and further informed the police that on 4.3.2020 Pankaj Yadav called on his mobile and asked him to come on which his son disclosed that he is going with Pankaj to purchase cow and was carrying Rs 17000/-. When his son did not return, he called his son but mobile was switched off and later came to know that on the next day that dead body of his son was in the police station. Learned counsel for the petitioner further submits that FIR was against unknown and there is no eye-witness to the occurrence. Further Kamleshwari Yadav though disclosed that on 4.3.2020, his son was called by Pankaj Yadav and left informing that he is going to purchase cow but when his son did not return, informant did not either inform the police or file FIR which shows that the informant did not have any apprehension that his son may have been killed by Pankaj Yadav.

Learned APP fairly submits that there is no eye witness to the occurrence but opposes the bail application.

Considering the facts that petitioner is in jail custody



and charge sheet has been submitted and petitioner is a person with clean antecedent, the petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur in Sultanganj P.S. Case no. 47 of 2020.

(Satyavrat Verma, J)

s.hassan/-

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