

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21368 of 2021**

Arising Out of PS. Case No.-88 Year-2020 Thana- BIND District- Nalanda

Ganesh Prasad @ Ganesh Prasad Yadav Son Of Sri Bishundhari Yadav
Resident Of Village- Gangoor, P.S.- Chandi, District- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Reena Kumari, Advocate

For the Opposite Party/s : Mr. APP

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

3 15-12-2021 Heard Smt. Reena Kumari, learned counsel for the
petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Bind P.S. Case No. 88 of 2020 instituted for the offences under Sections 302, 201 and 120(B) of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 12.10.2020, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that the informant alleges that on 02.10.2020 at 4.00 pm her husband left the house and she later came to know that he was shot dead by unknown criminals after he had left the house.

Learned counsel for the petitioner submits that the F.I.R.



was against unknown and the name of this petitioner transpired in the confessional statement of co-accused Subhash Prasad who disclosed that deceased had accompanied the petitioner from village at 4.00 pm. Learned counsel further submits that during the course of investigation it also transpired that this deceased was having illicit relationship with Sarita Devi wife of one Dara Yadav. Learned counsel vehemently submits that even presuming what has been alleged in the investigation is true, at best it is a case of last seen.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 12.10.2020, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of Shri Avinash Kumar, learned J.M. 1st Class, Nalanda in connection with Bind P.S. Case No. 88 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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