

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28943 of 2021

Arising Out of PS. Case No.-317 Year-2019 Thana- SHERGHATI District- Gaya

MANOJ YADAV S/O BALESHWAR YADAV R/o village- Sonhathu, P.S.-
Gurua, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-12-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 201 and 34 of the Indian Penal Code.

As per the prosecution case, accused Munarik Yadav and Surendra Yadav are stated to have called the son of the informant. It is stated that at the relevant time on other motorcycles other accused persons including the petitioner herein as also one Dinesh Yadav were present. Son of the informant was taken away and thereafter did not return. Subsequently his dead body was recovered.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. From perusal of the F.I.R. itself it would transpire that there is no eye



witness to the occurrence. At best, the case against the petitioner is one of last seen. Even as per the F.I.R. the allegation of calling the son of the informant is on Monarik Yadav and Surendra Yadav. The case of the petitioner stands on a similar footing to that of coaccused Dinesh Yadav who has been enlarged on bail vide order dated 28.2.2020 passed in Cr. Misc. no.7233 of 2020. The petitioner is in custody since 12.12.2020.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the grant of bail to the coaccused Dinesh Yadav and the petitioner having remained in custody for more than 11 months, the Court directs the petitioner to be enlarged on bail in connection with Sherghati (Dobhi) P.S. Case no. 317 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sherghati (Gaya).

(Partha Sarthy, J)

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