

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28879 of 2020

Arising Out of PS. Case No.-184 Year-2019 Thana- MANPUR District- Nalanda

1. JATHU YADAV Son of Late Sree Yadav Resident of Village- Sukhanandpur, P.S.- Manpur, District- Nalanda.
2. Anil Yadav @ Rudal Yadav Son of Late Sree Yadav Resident of Village- Sukhanandpur, P.S.- Manpur, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Adv.

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 29-01-2021 Heard the learned counsel for the petitioners and the learned APP for the State, Ms. Anita Kumari Singh.

The petitioners seek regular bail in connection with S.Tr. No. 152 of 2020 arising out of Manpur P.S. Case No. 184 of 2019, registered for the offence punishable under Sections 457, 323, 302, 383 and 504/34 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein having pressed the neck of the brother of the informant



resulting in his death.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case, they are having clean antecedent and they are languishing in custody since 20.01.2020. The learned counsel for the petitioners has further submitted that a land dispute is existing from before and only with the intention of grabbing the land of the deceased, who had got no issues, the petitioners have been falsely implicated in the present case. It is further submitted that similarly situated co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 22.12.2020 passed in Criminal Miscellaneous No. 27974 of 2020. Lastly, it is submitted that the charge-sheet has been filed and the investigation is complete.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the



submissions made by the learned counsel for the petitioners and taking into account the parity of the case of the petitioners with that of the co-accused person, who has already been granted bail by a coordinate Bench of this Court and further considering the fact that a general and omnibus allegation has been levelled against the petitioners herein, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned District & Sessions Judge-II, Biharsharif, Nalanda in connection with S.Tr. No. 152 of 2020 arising out of Manpur P.S. Case No. 184 of 2019.

(Mohit Kumar Shah, J)

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