

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35353 of 2020

Arising Out of PS. Case No.-545 Year-2019 Thana- JAHANABAD District- Jehanabad

AJAY YADAV @ SADHU YADAV Son of Late Bakhori Yadav @ Late
Bhakhori Yadav Resident of Village - Lanjo, P.S.- Pali, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Anuj Kr. Srivastav

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

5 03-02-2021

Heard learned counsel for the parties.

This application for regular bail arises out of Jehanabad (Karauna O.P.) P.S. Case No. 545 of 2019, disclosing offence punishable under Sections 364, 302, 34 of the Indian Penal Code.

It is the prosecution's case that six persons named in the FIR had come to the informant's place and the informant's brother (the deceased) had accompanied them in search of a stolen motorcycle. He did not return and subsequently his dead body was found lying in a water body.

Learned counsel appearing on behalf of the petitioner has argued that similarly circumstanced co-accused have been granted regular bail by an order of this Court dated 21.12.2020,



passed in Cr. Misc. No. 26280 of 2020. He has argued that the petitioner has been implicated merely on the basis of suspicion and even during course of investigation, no incriminating material has surfaced justifying petitioner's implication in the case. He has submitted that since charge-sheet has been submitted, no tangible purpose will be served if the petitioner is compelled to remain in custody further.

On perusal of the case diary, I find substance in submission made on behalf of the petitioner that his implication is on the basis of circumstantial evidence. The petitioner is in custody since 03.07.2020.

Considering the facts and circumstances as noted above, this application is allowed. Let the petitioner, above-named, 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 learned Chief Judicial Magistrate, Jehanabad, in Jehanabad (Karauna O.P.) P.S. Case No. 545 of 2019.

(Chakradhari Sharan Singh, J)

Rajesh/-

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