

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40108 of 2020

Arising Out of PS. Case No.-306 Year-2019 Thana- JOGAPATTI District- West Champaran

SHANKAR YADAV Son of Jagan yadav Resident of Village - Nimueya, P.S.-
Yogapatti (Nawalpur), Distt.-West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 22-02-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Yogapatti (Nawalpur) Police Station Case No. 306 of 2019,
registered for the offences punishable under Sections
447/448/341/342/307/323/302/34 of the Indian Penal Code.

The allegation, as per the First Information Report, is
that the petitioner, along with other co-accused persons, arrived
at the house of the informant and one of the co-accused, Ramesh
Yadav, poured petrol upon his body and the accused persons,
including the petitioner, set the informant on fire.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case merely on the
basis of the fact that he happens to be the brother-in-law of co-
accused Ramesh Yadav, with whom the informant had land



dispute. He next submits that the First Information Report is doubtful inasmuch as the occurrence has taken place on 08.08.2019, fardbayan of the informant was recorded on 12.08.2019, the First Information Report was registered on 16.08.2019 and the same was forwarded to the Court of Chief Judicial Magistrate, on 21.08.2019. He next submits that the allegation against the petitioner is general and omnibus in nature and the entire family members of the petitioner, along with his wife, have falsely been implicated in this case and the petitioner is not residing in the village where the occurrence has allegedly taken place and he is residing in village Nimohia, which is far away from the place of occurrence. He next submits that the petitioner is in custody since 26.12.2019.

Having heard learned Counsel for the parties and taking into consideration the materials on record, nature of allegation and the fact that the petitioner is in custody since 26.12.2019, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West



Champaran, at Bettiah, in connection with Yogapatti (Nawalpur)
Police Station Case No. 306 of 2019.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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