

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40152 of 2020

Arising Out of PS. Case No.-103 Year-2018 Thana- KAUWAKOL District- Nawada

SAKINDRA YADAV @ SAKO YADAV Son of Arjun Yadav Resident of
Village- Bhaluana, P.S.- Chandradeep, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. S.K. Lal,
Mr. Umesh Prasad, Advocates.
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-02-2021 Heard Mr. S.K. Lal, learned counsel for the petitioner
and Mr. Nawal Kishore Prasad, Additional Public Prosecutor for the
State.

2. Petitioner seeks regular bail in connection with
Kawakole (Rupou) PS Case No. 103/2018 registered for the offence
punishable under Sections 302/34 of the IPC and Section 27 of the
Arms Act.

3. The allegation, as per First Information Report, is that
a dispute arose regarding distribution of booty amongst the members
of gang headed by Naresh Yadav and other members of the said gang
including the petitioner and they, allegedly, killed the head of the
gang, Naresh Yadav, whose dead body was found under a Mahua tree
situated in the field of one Garbhu Yadav.

4. Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged and
the dead body of the deceased pumped with bullet was found by the
informant who is a police officer, allegedly, on the basis of
information received from the villagers petitioner has been



implicated in this case. Learned counsel for the petitioner further submits that a similarly situated co-accused, Rajesh Yadav @ Rakesh Kumar, having same allegation as that of petitioner, has been granted bail by this Court *vide* Cr. Misc. No. 74100/2019 and the petitioner is in custody since 11.02.2020.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that a similarly situated co-accused has been granted bail by this Court and the petitioner is in custody since 11.02.2020, I am inclined to grant regular bail to the petitioner.

6. Accordingly, let the petitioner, SAKINDRA YADAV @ SAKO YADAV be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Nawada in connection with Kawakole (Rupou) PS Case No. 103/2018.

7. Needless to say that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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