

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6310 of 2021**

Arising Out of PS. Case No.-161 Year-2020 Thana- BENIPATTI District- Madhubani

MUNNA YADAV SON OF LATE SOGARATH YADAV RESIDENT OF  
VILLAGE- SOHRAUL P.S- BENIPATTI DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Murari Narain Chaudhary

For the Opposite Party/s : Mr. Bishweshwar Ram

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

3      25-06-2021                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State, through Video  
Conferencing.

The petitioner seeks regular bail in connection with  
Benipatti Police Station Case No. 161 of 2020, registered for the  
offence punishable under Sections 147/148/149/323/307/332/  
333/353/427/504 of the Indian Penal Code.

The prosecution case, as per the First Information  
Report, is that on 01.07.2020, the police received information  
from one Om Prakash Sah that he, along with his family  
members, has been made captive by the accused persons in  
village Sohraul, where the said Om Prakash Sah had gone in the  
marriage of his brother. It has further been alleged that when the  
police party went to the place of occurrence in order to secure



the safe release of the persons who were made captive by the accused persons, some accused persons assaulted the police party, due to which two police personnel received injuries and the name of the petitioner was disclosed to the police party by the village chowkidar.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely because he happens to be the co-villager of the side of the bride. He further submits that there is general and omnibus allegation against all the accused persons and the petitioner was not arrested on the spot and one Pramod Sah, who was arrested on the spot, was granted bail by co-ordinate Bench of this Court, vide order, dated 05.04.2021, passed in Criminal Misc. No. 5051 of 2021. He next submits that the petitioner is in custody since 03.09.2020 and charge sheet has been submitted against the petitioner, as such, there is no likelihood of the petitioner being abscond or tamper with the evidence.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that similarly situated co-accused person has been granted bail by this Court, the petitioner is in custody since 03.09.2020, and charge sheet has been submitted against him, 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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of learned 1<sup>st</sup> Additional Chief Judicial Magistrate, Benipatti, Madhubani, in connection with Benipatti Police Station Case No. 161 of 2020, subject to the following conditions:

(1) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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