

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3699 of 2022

Arising Out of PS. Case No.-391 Year-2019 Thana- KHAJANCHI HAT District- Purnia

CHHOTU YADAV SON OF LATE RAVINDRA YADAV R/O VILLAGE-
MARANGA, P.S.- K. HAT (MARANGA), DISTRICT- PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Senior Advocate Mr. Pawan Kumar, Advocate Mr. Kumar Rajdeep
For the Opposite Party/s	:	Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 06-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with K. Hat
(Maranga) P.S. Case No. 391 of 2019 registered for the offence
under Sections 302, 120(B) and 34 of the Indian Penal Code and
Section 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 27.05.2020.

The allegation against the petitioner is to hatch
conspiracy along with other co-accused persons for murder of
father of the informant, while in jail, in connection with K. Hat



(Sahayak) P.S. Case No. 271 of 2015, for previous long standing land dispute.

Learned senior counsel appearing on behalf of the petitioner submitted that the face of the FIR speaks only suspicion against this petitioner without surfacing any incriminating material during course of investigation. It is also submitted that the maximum allegation is to hatch a conspiracy , while in jail and apparently, there is no physical involvement of the petitioner in the alleged occurrence. It is also submitted that other co-accused, having active participation in the alleged occurrence, has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 32381 of 2021 dated 21.03.2022. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner was in jail, at the time of occurrence.

Considering the facts and circumstances as mentioned above, as nothing surfaced during course of investigation to connect this petitioner to hatching conspiracy as alleged coupled



with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with K. Hat (Maranga) P.S. Case No. 391 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM I/c., Purnea/ concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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