

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8991 of 2022

Arising Out of PS. Case No.-190 Year-2020 Thana- JALE District- Darbhanga

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Anil Yadav Son of Makoon Yadav @ Makun Yadav Resident of Village-
Narauchh, Police Station- Jalley, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durgesh Nandan

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-06-2022 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 two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Jalley P.S.
Case No. 190 of 2020 registered for the offence under Sections
363, 365 and 302 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 15.04.2021.

As per the prosecution case, brother of the informant
went outside from his house in the evening and since then he
was traceless. Later on, in the morning, dead body of the
informant's brother was found in a pond.

The name of the petitioner surfaced in the present



case during the course of investigation on the basis of suspicion in connection with the recovery of the dead body of the deceased, Parmanand Jha, which was found in a pond.

Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced in this case on the basis of suspicion and other similarly co-accused persons have already been granted anticipatory bail by learned Co-ordinate Bench of this Hon'ble Court vide order dated 28.04.2022 passed in Cr. Misc. No. 10306 of 2022. It has also been submitted that as regard to the criminal antecedent of the petitioner, he is on bail in all three cases as mentioned in paragraph no.3 of the bail petition. It has further been submitted that chargesheet in this case has already been submitted as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State fairly conceded that petitioner is not named in the F.I.R.

Considering the facts and circumstances as mentioned above, as name of the accused/petitioner has been surfaced on the basis of suspicion coupled with the fact that chargesheet in this case has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Jalley P.S. Case No. 190 of 2020 on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Darbhanga, subject to the following conditions:

(i) Accused/Petitioner shall cooperate in the trial and shall be properly represented on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

(iii) That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

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