

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19719 of 2022

Arising Out of PS. Case No.-380 Year-2020 Thana- LAXMIPUR District- Jamui

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NAGO YADAV @ NAGESHWAR YADAV S/o Sinho Yadav @ Singho
Yadav R/o village- Tardih, P.S.- Gidhaur (Laxmipur), Distt.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh

For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

2 19-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

At the outset, learned counsel for the petitioner seeks
permission to make necessary correction in para 1 of the
petition. Let him do so.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offences punishable under Sections 364, 302, 201/34 of the
Indian Penal Code.

As per allegation, in the night of 09.10.2020 the
deceased, petitioner and other accused persons being in a
drunken position were abusing each other at the house of the
informant and thereafter, informant's husband went missing and



thereafter the informant suspected that her husband had been murdered by the petitioner and co-accused persons and his dead body was also disappeared.

The main submissions advanced by the learned counsel for the petitioner are that as per FIR the informant is not an eye-witness of the alleged occurrence, she simply raised suspicion against the petitioner and other co-accused persons mainly on the basis of exchange of abuse having taken place in between accused persons and the deceased when he was in drunken position. Further submission is that one co-accused Biro Manjhi @ Biru Manghi carrying similar nature of allegation has been considered for regular bail by a coordinate bench of this court vide order passed in Cr. Misc. no. 36191 of 2021 and investigation has been completed in respect of the petitioner and he has been languishing in jail since 15.3.2021.

Learned APP has opposed the prayer for bail.

In view of above submissions and considering petitioner's custody period and mainly the fact that co-accused carrying similar allegation has been considered for regular bail vide order passed in the above mentioned miscellaneous case, accordingly, this court is inclined to grant privilege of bail to the petitioner. Let the petitioner 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 the Addl. Sessions Judge IV-cum- Special Judge Excise II, Jamui in Session trial no. 161/2021 arising out of Laxmipur P.S Case No. 380 of 2020.

(Shailendra Singh, J)

s.hassan/-

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