

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19966 of 2022

Arising Out of PS. Case No.-49 Year-2021 Thana- LAUKAHI District- Madhubani

1. PAWAN YADAV Son of Late Jagdev Yadav Resident of Village - Phulparas, P.S. - Phulparas, District - Madhubani.
2. Dev Narayan Yadav @ Chhotkan Son of Late Jagdev Yadav Resident of Village - Phulparas, P.S. - Phulparas, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, App

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-06-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in a case registered for the offences punishable under Sections 302, 201, 34 of the Indian Penal Code and 27 of the Arms Act.

Learned counsel for the petitioners submits that the petitioner no. 1 is in custody since 30.07.2021 and petitioner no. 2 is in custody since 10.08.2021 respectively, are persons with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioners submits that the informant alleges that on 17.03.2021 at about 06:00 p.m. when



the informant's son Shrawan Kumar Yadav (deceased) was going to the house of his sister but he did not return. On 18.03.2021 at 09:00 am, villagers informed that his son was killed and his dead body was thrown near Bhutahi Balan embankment, thus on the basis of suspicion, informant alleges against four accused persons, including the petitioners, that they killed his son on account of previous enmity.

Learned counsel for the petitioners further submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that informant is not an eye-witness to the occurrence and the entire allegation is based on suspicion. It is further submitted that other co-accused namely, Ram Vilas Yadav has already been granted bail by a co-ordinate Bench of this Court vide order dated 25.03.2022 passed in Cr. Misc. No. 63065 of 2021.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the fact that the petitioner no. 1 is in custody since 30.07.2021 and petitioner no. 2 is in custody since 10.08.2021 respectively, charge-sheet has been submitted in the case and the petitioners are persons with clean antecedent, let the petitioners above named be released on bail on furnishing



bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge, Jhanjharpur, Madhubani in connection with Sessions Trial No. 56 of 2022 (arising out of Laukahi (Narhiya O.P) P.S. case no. 49 of 2021.

(Khatim Reza, J)

Gaurav Kumar/-

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