

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25036 of 2022

Arising Out of PS. Case No.-338 Year-2019 Thana- KHAIRA District- Jamui

SHANKAR YADAV SON OF TITU YADAV R/O VILLAGE- DARIMA,
P.S.- KHAIRA, DISTRICT- JAMUI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-08-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 read with 34 of the Indian Penal Code and sections 3 and 4 of the Prevention of Witch (Daain) Practice Act.

As per the prosecution case, the informant had gone to Lakhisarai, then he received a call from his wife on his mobile who informed that *gotias* of the informant, total twelve in number including the petitioner came to his house and started



breaking the door and assaulting his family members and abducted his mother with the intent to kill her by calling her *Daain*. When the informant returned to his home, he found that the door of his house was broken, his father had hid himself somewhere and his mother was missing. On the next day on 13.11.2019, the dead body of his mother was found in the river. The informant has alleged that all the named accused persons have killed his mother calling her as *Daain*.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.01.2022. The other co-accused persons have already been granted bail *vide* order dated 04.11.2020 and 09.03.2021 passed in Criminal Misc. No. 23087 of 2020 and 38474 of 2020 respectively by the Co-ordinate Bench.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged



on bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui, in connection with Khaira P.S. Case No. 338 of 2019.

The application stands allowed.

(Chandra Prakash Singh, J)

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