

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28202 of 2022**

Arising Out of PS. Case No.-83 Year-2021 Thana- GOVINDPUR District- Nawada

1. Pankaj Yadav @ Pankaj Kumar, son of Kuldip Yadav, Resident of Village - Maheshpur, P.S.- Govindpur, District – Nawada.
2. Pandit Yadav @ Pandit Kumar, son of Kuldip Yadav, Resident of Village - Maheshpur, P.S.- Govindpur, District – Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                     |
|----------------------|---|-------------------------------------|
| For the Petitioner/s | : | Mr. Gauri Shankar Prasad, Advocate. |
| For the Informant    | : | Mr. Anil Kumar No.1, Advocate.      |
| For the State        | : | Mr. Yogendra Kumar Singh, APP.      |

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      10-08-2022                      Heard Mr. Gauri Shankar Prasad, learned counsel appearing on behalf of the petitioners, Mr. Anil Kumar No.1, learned counsel for the informant and Mr. Yogendra Kumar Singh, learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the complete start of the physical Court in normal course.

The petitioners seek regular bail in connection with Govindpur P.S. Case No. 83 of 2021, for the offence punishable under Sections 302, 201 and 120(B)/34 of the Indian Penal Code.

The prosecution story, in brief, is that on 07.04.2021 the deceased had gone to the petrol pump situated at Baksoti for



selling of diesel/petrol. The informant was informed by the deceased on telephone that he will first go to purchase medicine for cow and he will return late because co-accused Ram Pravesh Yadav had called him to show the land situated at Kolja. As the deceased did not return till 7.00 P.M., the informant made call on the mobile phone of deceased. He found it to be switched off. Then he made call on mobile phone of co-accused Ram Pravesh Yadav and same was also found switched off. In course of search, the informant met with co-accused Ram Pravesh Yadav at Baksoti market, where the Police arrested him. The dead body of his brother was found near old post office located near river. The informant has alleged that five days back the accused Dular Yadav had threatened his brother to kill him because of long standing dispute between his family and the family of Dular Yadav and as such the accused persons named in the F.I.R. in a planned manner had committed murder of the brother of the informant.

Learned counsel appearing on behalf of the petitioners submits that so far as the present petitioners are concerned, there is no allegation of involvement of petitioners in commission of murder of the brother of the informant in any manner. There is general and omnibus allegation against the petitioners. The petitioners are in custody since 23.06.2021. It is further



submitted that similarly situated co-accused namely Ravindra Yadav @ Ravindra @ Sadhu Yadav against whom similar allegation has been made, has already been granted bail vide order dated 26.04.2022 passed in Cr. Misc. No. 49375 of 2021 by this Court.

Sri Anil Kumar, learned counsel appearing on behalf of informant submits that the petitioners along with other co-accused have conspired to commit murder of the brother of the informant. The petitioners are the associates of Dular Yadav and complicity of the petitioners cannot be denied in the commission of murder of brother of the informant.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioners.

Having heard the rival submission of the parties, perused the allegation made in the F.I.R., it appears that there is general and omnibus allegation against the petitioners to be involved in commission of murder with common intention, that apart in course of investigation, only minuscule evidence has been collected against the petitioners and similarly situated co-accused namely Ravindra Yadav @ Ravindra @ Sadhu Yadav against whom similar allegation has been made, has already been granted bail, prima facie, the petitioners have made out a case to be released on bail.



The petitioners, above named, are directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-X, Nawada in connection with Sessions Trial No. 240 of 2021, arising out of Govindpur P.S. Case No. 83 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(4) If the petitioners are found involved in similar nature of offence, after their release on bail, the trial Court shall take steps to cancel their bail bonds.

**(Purnendu Singh, J)**

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