

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39360 of 2021

Arising Out of PS. Case No.-545 Year-2019 Thana- JAHANABAD District- Jehanabad

AJAY YADAV S/o Beshlal Yadav Vill- Kodihara, P.S.- Masaurhi, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lallu Prasad

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-01-2022 Heard learned counsel for the parties through video conferencing.

Petitioner seeks regular bail in connection with S. Tr. No. 127 of 2020 / 86 of 2020 arising out of Jehanabad P.S. Case No. 545 of 2019 registered for the offence under Sections 364, 302 / 34 of the I.P.C.

The prosecution story in nutshell is that the petitioner along with other accused persons altogether six in number came to the house of the informant, his brother (deceased) accompanied him to search the stolen motorcycle but he did not return and subsequently his dead body was found lying in a water body.

Learned counsel for the petitioner submits that



petitioner has falsely been implicated on the basis of suspicion only and during the course of investigation no material has come against the petitioner to connect him in the present offence. He next submits that similarly situated accused persons namely, Uttam Yadav & Pandit Jee (Cr. Misc. No. 26280 of 2020) , Ajay Yadav @ Sadhu Yadav (Cr. Misc. No. 35353 of 2020) and Raushan Kumar @ Babhana @ Bauna (Cr. Misc. No. 40499 of 2020) have been granted bail by different Co-ordinate benches of this Court (Annexures- II, III , IV to the bail petition).

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that similarly situated accused persons have been granted bail by different Co-ordinate Benches of this Court, the petitioner is in custody since 23/09/2020 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-V, Jehanabad in connection with S.Tr. No. 127 of 2020 / 86 of 2020 arising out



of Jehanabad P.S. Case No. 545 of 2019 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor shall also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner shall be well represented on each date and if he fails to do so on two consecutive dates, his bail bond shall liable to be cancelled.

(Anil Kumar Sinha, J)

praful/-

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