

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41904 of 2021

Arising Out of PS. Case No.-15 Year-2019 Thana- BHADHWAR District- Gaya

1. Jay Yadav @ Jai Yadav S/O Late Chhatan Yadav R/O Village-Harhi, P.S-Bhadwar, District-Gaya.
2. Basant Kumar S/O Jay Yadav R/O Village-Harhi, P.S-Bhadwar, District-Gaya.
3. Sintu Yadav @ Sintu Kumar S/O Naresh Yadav @ Chamru Yadav R/O Village-Harhi, P.S-Bhadwar, District-Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2022 Heard Mr. Sharda Nand Mishra, the learned Counsel
for the petitioners and Mr. Umanath Mishra, learned Additional
Public Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out of
Bhadwar Police Station Case No. 15 of 2019, disclosing
offences under Sections 147, 148, 149, 302 and 120(B) of the
Indian Penal Code.

The prosecution story, as per the First Information
Report, is that on 22.09.2019 the informant along with her
father was going to her home from Sohrai Bazar crossing and on
the way, near Bichali Tal, the petitioners, including other co-
accused persons, altogether 11 in numbers, forcibly took her



father towards Hadi Pahari and on the next date in the morning, the informant got the knowledge that the dead body of her father was lying near Hadi Pahari. The reason behind the occurrence has been stated that the son of Somar Yadav had died due to snake bite and allegation of his family members was that the informant and her family members were responsible for snake bite by practicing witchcraft.

The learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case due to village politics. Learned counsel next submits that similarly situated co-accused persons, Naresh Yadav, Sahdev Yadav and Somar Yadav have been granted bail by a Coordinate Bench of this Court in Cr. Misc. No.342 of 2021 and Cr. Misc. No. 620 of 2021 respectively.

The learned counsel next submits that petitioners are in custody since 05.04.2021 and chargesheet has already been submitted against the petitioners and, as such, there is no likelihood that the petitioners will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the



fact that similarly situated co-accused persons have already been granted bail by a Coordinate Bench of this Court and the petitioners are languishing in custody since 05.04.2021, having no criminal antecedent, as also chargesheet has already been submitted in this case, I deem it fit and proper to grant regular bail to the petitioners.

Accordingly, let the petitioners, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned I/C Judicial Magistrate, Ist Class, Sherghati, Gaya, in connection with Bhadwar Police Station Case No. 15 of 2019.

(Mohit Kumar Shah, J)

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