

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41632 of 2021

Arising Out of PS. Case No.-131 Year-2018 Thana- PASRAHA District- Khagaria

Shiv Yadav @ Shiva Yadav Son of Late Pulkit Yadav Resident of Village -
Basua, P.S.- Pasraha, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bharat Bhushan
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-01-2022 Heard both parties through video conferencing.

The petitioner seeks bail in Pasraha P.S. Case No. 131
of 2018, registered for the offence punishable under Sections
302/34 of the Indian Penal Code.

As per the prosecution case, this petitioner along with
other co-accused persons committed murder of husband of
informant by strangulation.

It is submitted on behalf of the petitioner that though
informant claimed to be the eye-witness of occurrence, but she
did not name the petitioner in the FIR. However, during course
of investigation, informant in her re-statement developed the
story and named this petitioner as one of the accused persons.
No reason has been assigned as to why the informant did not
name this petitioner in the FIR itself when she was eye-witness



of the alleged occurrence. Other similarly situated co-accused persons have been granted bail by different benches of this Court vide order dated 21.08.2019 passed in Cr. Misc. No. 39559 of 2019, dated 08.11.2019 passed in Cr. Misc. No. 64467 of 2019 and dated 23.10.2019 passed in Cr. Misc. No. 59846 of 2019. Petitioner is in custody since 18.01.2021. Investigation is complete.

Considering the 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Khagaria in connection with Pasraha P.S. Case No. 131 of 2018.

(Prabhat Kumar Singh, J)

vinita/-

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