

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43437 of 2021

Arising Out of PS. Case No.-24 Year-2016 Thana- SHANKARPUR District- Madhepura

BALDEO YADAV @ BALDEO JADAV Son of Late Raso Yadav Resident of
Morkahi, P.S.- Shankarpur, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-03-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Shankarpur P.S. Case No. 24 of 2016 for the offence registered
under Sections 302/34 of the Indian Penal Code.

According to the case of the prosecution, there was
land dispute in between the deceased and his cousin brother-in-
law and on 06.03.2016 the deceased is stated to have gone for
the purposes of settlement of the dispute at the house of the co-
accused person namely Mahadeo Yadav but subsequently in the
next morning the dead body of the deceased was found hanging
from a tree. The informant is stated to have named several
persons including the petitioner herein as those who were
responsible for the death of the deceased.



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 15.01.2021. The learned counsel for the petitioner has further submitted by referring to paragraph no. 10 of the present petition that initially the police had submitted final form against the petitioner on 30.04.2017 finding the case to be untrue as far as the petitioner is concerned, however, subsequently the learned court below has differed with the same and taken cognizance of the offences alleged against nine accused persons including the petitioner herein. It is next submitted that similarly situated co-accused persons have already been granted bail vide orders dated 05.05.2016, 18.05.2016 and 07.10.2021 passed in Criminal Misc. No. 19119 of 2016, Criminal Misc. No. 20502 of 2016 and Criminal Misc. No. 27616 of 2021 respectively.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity of the case of the



petitioner with that of the co-accused persons who have already been granted bail by coordinate Benches of this Court, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-II, Madhepura in connection with Sankarpur P.S. Case No. 24 of 2016, G.R. No. 413 of 2016 corresponding to S.T. No. 193 of 2016.

(Mohit Kumar Shah, J)

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