

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45134 of 2021

Arising Out of PS. Case No.-35 Year-2020 Thana- BAKHTIYARPUR District- Patna

MAHENDRA KUMAR @ MAHENDRA YADAV @ BABA Son of Krishan
Yadav @ Krishan Singh Resident of Village - Bara Hasanpur, P.s.-
Khushrupur, Distt.- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 392 of the Indian Penal Code.

As per the prosecution case, some unknown persons brutally assaulted the brother of the informant, snatched Rs. 30,000/- and keys of his shop. Subsequently, he died in course of treatment.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. The name of the petitioner transpired in the confessional statement of a co-accused made before police. Referring to the order of the learned trial Court wherein the material in the case diary have



been dealt with in detail, it is submitted that no material has transpired in course of investigation to connect the petitioner with the alleged crime. The case of the petitioner stands on a similar footing to that of co-accused Sanjeet Kumar who has been enlarged on bail vide order dated 11.9.2020 (Annexure-2) passed in Cr. Misc. no. 22822 of 2020. The petitioner is in custody since 20.8.2020 and has no criminal antecedent. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with grant of bail to co-accused Sanjeet Kumar and the petitioner having remained in custody for 1 year 5 months, the Court directs the petitioner to be enlarged on bail in connection with Bakhtiyarpur P.S. Case no. 35 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M –III, Barh, District Patna.

(Partha Sarthy, J)

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