

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52541 of 2021**

Arising Out of PS. Case No.-107 Year-2020 Thana- SULTANGANJ District- Bhagalpur

SIYARAM YADAV SON OF BINDESWARI YADAV R/O VILLAGE-
ASHIYACHAK, NAVIN TOLA, P.S.- SULTANGANJ, DISTRICT-
BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s N.K.Agrawal, Sr. Advocate
Jyoti Ranjan Jha, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, Advocate

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 30-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, the informant saw her husband in an injured condition who on being taken to the hospital died in course of treatment. The informant states that she was informed by the *Chaukidar* that her husband had been beaten up.

It is submitted by learned senior counsel appearing for the petitioner that the petitioner has been falsely implicated in the case. Even as per the material that has transpired in course of investigation, the petitioner was beaten up under a



misunderstanding of being a thief. It was only in course of investigation in paragraph no. 20 of the case diary that the name of the petitioner transpires. The petitioner had no reason to commit the alleged occurrence. He is in custody since 18.6.2021. A number of co-accused including Ram Pravesh, Gito Yadav, Manohar Kumar, and others have been enlarged on bail vide order dated 18.2.2022 passed in Cr. Misc. no. 20535 of 2021 and Cr. Misc. no. 31696 of 2021.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation, grant of bail to the above named co-accused and the petitioner having remained in custody for 9 months, the petitioner is directed to be enlarged on bail in connection with Sultanganj P.S. Case no. 107 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 Additional Chief Judicial Magistrate I, Bhagalpur.

(Partha Sarthy, J)

Spd/-

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