

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43585 of 2022

Arising Out of PS. Case No.-170 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

Ram Ishwar Yadav Son Of Dukhu Yadav R/O Village- Bakri, P.S.-
Udwanthnagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Udwanthnagar P.S. Case No. 170 of 2021 registered for the
offences punishable under Sections 302, 201 and 34 of the
Indian Penal Code.

As per the prosecution, the informant has alleged that
this petitioner along with other co-accused persons killed Mutur
Yadav @ Pagla and Degree Choudhary and tried to cremate the
dead bodies by setting them on fire but in the meantime the
police recovered the dead bodies and they were identified by



their relatives.

The main submissions advanced by learned counsel Mr. Manoj Kumar appearing for the petitioner are that the petitioner has fair and clean antecedent and he is not named in the FIR and the FIR was lodged against unknown villagers and similarly situated co-accused person Manoj Chaudhari has been granted bail by a co-ordinate Bench of the Court vide order passed in Cr. Misc. No. 63560 of 2021.

Learned APP Mr. Parmanand Kumar appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR. The FIR was lodged against unknown persons and allegedly the accused person committed the crime after the deceased, himself, had committed murder of one person namely Degree Chaudhary and as per the statement made in paragraph No. 9 of the petition, the petitioner was alleged to be a member of the mob which killed the deceased. Considering these facts as well as above submissions and petitioner's clean antecedent and his custody period and also the fact that similarly situated co-accused person mentioned-above is on bail, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner 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 concerned Court in Connection with
Udwanalnagar P.S. Case No. 170 of 2021.

(Shailendra Singh, J.)

Prashant/-

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