

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56081 of 2021**

Arising Out of PS. Case No.-71 Year-2021 Thana- JAYNAGAR District- Madhubani

SHASHI YADAV S/O LATE AMAR NATH YADAV @ AMAR YADAV R/o
village- Khairamath, P.S.- Jainagar, District- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. AK Thakur, Advocate and Mr. Malay Kumar Choudhary, Advocate
For the Opposite Party	:	Mr. Yogendra Kumar, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 29-01-2022 Heard learned counsel for the petitioner, the State and the informant.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 364, 34 of the Indian Penal Code and later on Sections 302, 201 of the I.P.C. was added.

As per the prosecution case, this petitioner along with other co-accused persons, all named in the FIR, forcibly took away the husband of informant on four wheeler vehicle towards south. Thereafter, some parts of a dead body were recovered which were identified by the informant side to be of the victim. Informant suspects that her husband might have been killed by the accused persons.

Learned counsel for the petitioner submits that it is a case of last seen seen of the petitioner with the victim. Learned counsel for the petitioner further submits that there is no eye witness to the occurrence and none of them examined during the course of the investigation has claimed to have seen



this petitioner committing murder of the husband of the informant. Petitioner is in custody since 2.6.2021. Similarly situated co-accused Jageshwar Yadav has already been allowed bail by this Court vide order passed in Cr.Misc.No. 43198/2021.

Learned counsel appearing for the State and the informant oppose the prayer for bail. They submit that there is allegation that the petitioner and other accused persons in a planned conspiracy killed the victim.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, as named above, 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 Chief Judicial Magistrate, Madhubani in Jaynagar Police Station Case No. 71 of 2021.

(Prabhat Kumar Singh, J)

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