

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64334 of 2021

Arising Out of PS. Case No.-288 Year-2020 Thana- SIKANDRA District- Jamui

Pawan Yadav S/O Bundi Yadav R/O Village- Ekrama, P.S.- Chewara, District-Sheikhpura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 302, 34, 120(B) of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is in custody since 24.06.2021, he is a person with clean antecedent and charge-sheet has been submitted in this case.

The learned counsel for the petitioner further submits that the informant alleges that his father was coming back from school when on the way, he was killed by some unknown criminals by slitting his neck.

The learned counsel for the petitioner submits that



F.I.R. was against unknown and during the course of investigation, one Dinesh Yadav was arrested on 13.01.2021. It is submitted that basis for arresting Dinesh Yadav was that the mobile phone of the deceased was found in his possession. It is further submitted that nearly three months thereafter, the informant gave an application to the police based on suspicion about the involvement of the present petitioner on the ground that he is related to Dinesh Yadav.

The learned counsel further submits that the police during the course of investigation also investigated the tower location of the petitioner and found that at the time of occurrence, the tower location of the petitioner and Dinesh Yadav was near-about the place of occurrence. The learned counsel thus submits that entire allegation hinges around suspicion and it absolutely does not stand to reason that on what basis the informant after nearly three months of the arrest of Dinesh Yadav filed an application alleges about the involvement of the petitioner. It is also submitted that the informant is not an eye witness to the occurrence.

Learned A.P.P. opposes the bail application, but is not able to meet the submission of the learned counsel for the petitioner based on the investigation which has come in the case



diary. The learned A.P.P. on direction of the Court had gone through the investigation as recorded in the case diary, which was provided by the learned counsel for the petitioner.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in this case and his name came based on suspicion as submitted by the learned counsel for the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sikandra P. S. Case No.288 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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