

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68275 of 2021

Arising Out of PS. Case No.-91 Year-2020 Thana- MOKAMAH District- Patna

SANJAY KUMAR YADAV @ NEHAL YADAV S/O SONE LAL YADAV
R/o village- Mor Paschim, P.S.- Mokama, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Bhushan Mishra

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 28-04-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 363, 364, 302, 201, 120(B)/34 of the Indian Penal Code.

As per the prosecution case, on 16.05.2020, Law Kumar, son of informant, went from his house but he did not return. The informant searched his son from his own sources but could not find any trace, thereafter, he has given written application at police station leading to registration of present FIR.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is submitted that petitioner is not named in the FIR. The name of petitioner has come in this case during the course of investigation in the confessional statement of co-accused



Chameli Devi. The only allegation against the petitioner is that the petitioner is alleged to be paramour of said Chameli Devi, second wife of the deceased. There is no eye witness of the occurrence. Petitioner claims clean antecedent and is in custody since 21.08.2020 and investigation in this case is complete. Similarly situated co-accused have already been allowed bail by a co-ordinate bench of this Court vide Annexure 2.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Additional Chief Judicial Magistrate-IV, Barh, Patna in connection with Mokama PS case No.91/2020.

(Prabhat Kumar Singh, J)

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