

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72363 of 2021**

Arising Out of PS. Case No.-51 Year-2017 Thana- KAJRA District- Lakhisarai

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Pankaj Yadav Son of Mahendra Yadav R/O Village- Basuhar, P.S.- Kajra,
District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 23-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Kajra P.S.
Case No. 51 of 2017 registered for the offence under Sections
302 and 34 of the Indian Penal Code and Section 27 of the Arms
Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 13.08.2021.

The allegation against the petitioner is to commit
murder of the husband of the informant, alongwith other co-
accused persons.



Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of confessional statement of co-accused, namely, Chottu Yadav, who has already been granted bail by one of the learned Coordinate Bench of this Court through Cr. Misc. No. 44799 of 2019 dated 22.07.2019. It is submitted that in furtherance thereof, nothing incriminating surfaced/recovered during the course of investigation, which may connect the petitioner with the present set of occurrence. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that petitioner is not named in the F.I.R.

In view of the facts and circumstances, as mentioned above, as nothing incriminating surfaced/recovered in furtherance of confessional statement of co-accused, which may connect the petitioner, *prima facie*, with the present occurrence coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Kajra P.S. Case No. 51 of



2017 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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