

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8355 of 2023

Arising Out of PS. Case No.-358 Year-2022 Thana- MUNGER MUFFASIL District- Munger

PINKESH YADAV Son of Late Atthal Yadav R/V- Chukti, P.S- mansi, Dist-
Khagaria Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suman Kumar Mishra

For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 364, 302,
201, 379 of the Indian Penal Code.

As per prosecution case, the son of the informant
namely, Rajiv Kumar who is a handicap, was kidnapped by all
the FIR named accused persons and thereafter committed
murder.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is nor named in the FIR rather he has falsely been
implicated in this case on the basis of suspicion. The petitioner
confessed in his so-called confessional statement wherein he
stated that other co-accused Mahadevo Mehto shot dead the



deceased and other accused persons threw the dead body of the deceased in Ganga river. Except confession, no any material has been come against the petitioner during investigation. It is further submitted that there is no eye witness of the alleged occurrence. Moreover, similarly situated co-accused namely, Maheshwar Mahto has already been granted bail by this Court vide order dated 9.5.2023 passed in Cr. Misc. No. 3542 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 20.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mufasil P.S. Case No. 358 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Munger.

(Sunil Kumar Panwar, J)

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