

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9953 of 2023

Arising Out of PS. Case No.-474 Year-2022 Thana- SHERGHATI District- Gaya

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1. Mungeshwar Yadav S/O Budhu Yadav R/O Village- Gaon Khap Tola Hananganj, P.S- Sherghati, District- Gaya
 2. Sakhi Yadav @ Ram Swaroop Yadav S/O Late Gyani Yadav @ Rami Yadav R/O Village- Gaon Khap Tola Hananganj, P.S- Sherghati, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh

For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-07-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 325, 307, 302/34 of the Indian Penal Code and Section 3/4 of the Witch Practicse Act

As per FIR, the allegation against the petitioners and co-accused persons is that they committed murder of the informant's father by means of lathi and danda.

Learned counsel for the petitioners submit that the



petitioners are innocent and have committed no offence. They have falsely been implicated in this case and they have got no criminal antecedent. During investigation and restatement of the informant, wherein he has given contradictory statement and other witnesses also stated that they have only seen fleeing away the petitioners and co-accused persons from the place of occurrence. As per postmortem report, only two lacerated wounds found on the parietal region of the deceased and according to the prosecution case two petitioners and four accused persons assaulted to the informant's father. It is further submitted that the petitioners suo-motu surrounded on 07.07.2022, and since then they are languishing in judicial custody.

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 petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Sherghati P.S. Case No. 474 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 Additional
District and Sessions Judge-V, Gaya.

(Sunil Kumar Panwar, J)

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