

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21907 of 2023

Arising Out of PS. Case No.-103 Year-2020 Thana- SONO District- Jamui

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1. JAWAHAR YADAV S/O- LATE RAMPHAL YADAV Village- Aghara Chapri Ps- Sono Dist- Jamui
 2. Manoj Yadav @ Manoj Kumar Yadav @ Dablu son of Jawahar Yadav Village- Shhara Chapri Ps- Sono Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek regular bail in connection with
Sono P.S. Case No. 103 of 2020 registered for the offence under
Sections 302, 201/34 of the Indian Penal Code.

As per prosecution case, the informant (now petitioner
no.1) alleged that on 12.5.2020 his brother went from house
after taking meal but he did not return. Thereafter, dead body of
the brother of the informant was recovered near pond. It is
further alleged that the accused persons are indulged in hatching
conspiracy to kill the informant's son in connivance with others.

Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence. The



petitioners are nor named in the FIR rather they have falsely been implicated in this case. It is further submitted that the I.O. had submitted charge sheet in the case against co-accused Sanjay Yadav who confessed in guilt in his confessional statement. On such confessional statement, the police made accused the petitioners while the petitioner no.1 is informant petitioner no.2 is witness. During course of investigation, no any cogent material has come on record which shows his complicity in the alleged offence. Moreover, similarly situated co-accused namely, Sanjay Yadav has already been granted bail by a co-ordinate Bench of this Court vide order dated 28.6.2021 passed in Cr. Misc. No. 2854 of 2021 and in support of this Annexure-3 has been annexed with this petition. The petitioners have got no criminal antecedent and languishing in judicial custody since 27.7.2022.

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, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Sono P.S. Case No. 103 of 2020 on furnishing bail bond of



Rs.10,000/- (ten thousand) each with two sureties of the like
amount each to the satisfaction of learned J.M. 1st Class, Jamui.

(Sunil Kumar Panwar, J)

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