

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21919 of 2023

Arising Out of PS. Case No.-429 Year-2022 Thana- RAMGARHWA District- East
Champaran

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Shrawan Yadav Son Of Kuldev Yadav Resident Of Village- Sisauna, Ps-
Kusheshwar Asthan, Distt- Darbhanga

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhanendra Chaubey
For the Opposite Party/s : Mr. Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302,
120(B)/34 of the Indian Penal Code.

3. As per prosecution case, the FIR named accused
persons including the petitioner under criminal conspiracy have
committed murder of the informant's son namely, Sakaldeo
Chaupal. It is further alleged that petitioner was fleeing away
after trowing dead body of the informant's son but he was
apprehended and was handed over to the police.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. It is also submitted vide para 11 of the petition that the deceased was being treated at Duncan Hospital for his serious bacterial effect and this information was given to the wife of the deceased who told to take away her husband at Darbhanga for better treatment but in the way, he died and on being asked by Sanjeev Yadav, his dead body was taken at his home where this petitioner was caught by the villagers on the basis of suspicion. There no eye witness of the alleged occurrence. During course of investigation no any consistent material has come against the petitioner. The postmortem report shows the cause of death is due to Toxaemia, Septicamea and shock. Moreover, the petitioner has got no criminal antecedent and languishing in judicial custody since 15.12.2022.

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

6. 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 Ramgarhwa P.S. Case No. 429 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 Sub Divisional Judicial Magistrate, Raxaul, Motihari.

(Sunil Kumar Panwar, J)

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