

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33068 of 2023

Arising Out of PS. Case No.-187 Year-2022 Thana- MAHESHKHUNT District- Khagaria

Sudin Yadav S/O Late Mani Kant Yadav R/O Village-Bahadurpur Ward No.6
P.S.-Gogri, Distt-Khagaria

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No.1, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel 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
Maheshkhut P.S. Case No. 187 of 2022 registered for the
offence under Sections 302, 201, 120(b)/34 of the Indian Penal
Code and 27(3) of the Arms Act.

The accused/petitioner is not named in the F.I.R. and is
in custody since 19.08.2022.

The allegation against this petitioner is to commit the
murder of son of informant along with other unknown persons,
where dispute is alleged to be arisen out of engagement of truck
and its driver and helper.



Learned counsel appearing on behalf of the petitioner submitted that the informant is not the eye witness of the occurrence and during the course of investigation on the basis of confessional statement the implication of present petitioner was made, where in furtherance of such confessional statement, no incriminating material recovered/surfaced. It is submitted that there was a dispute and hot exchange between son of petitioner, namely Manoj Yadav, who was also one of the co-accused and deceased person, as surfaced during the course of investigation and found the said reason that petitioner being father implicated with present case. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposed the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except confessional statement nothing incriminating surfaced during the course of investigation against this petitioner, where implication appears only being father of co-accused, namely Manoj Yadav, coupled with the fact that charge-sheet has been submitted, where petitioner is in custody



since 19.08.2022, accordingly the petitioner, above named, is directed to be released on bail in connection with Maheshkhut P.S. Case No. 187 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Khagaria/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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