

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40636 of 2022

Arising Out of PS. Case No.-226 Year-2020 Thana- SINGHWARA District- Darbhanga

PANKAJ KUMAR YADAV @ PANKAJ YADAV Son of Parikshan Yadav
Resident of Village - Bhagwatipur, P.s.- Singhwara, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 01-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail, who is in custody since
18.04.2022 in connection with Singhwara P.S. Case No. 226 of
2020, F.I.R. dated 20.12.2020 registered for the offence
punishable under Sections 302,120(B) of the Indian Penal
Code.

As per the prosecution, the petitioners along with
other co-accused persons brutally assaulted the informant's
brother namely, Manoj Yadav as a result of which he died.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present



case. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner is not involved in the present occurrence as alleged in the FIR. Further submits that the deceased-Manoj Kumar Yadav was in drunken stage at the time of Barat and he died to drink. Further submits that during investigation, the statement of Ram Lakhhan Yadav, who is person, in his house, the Barat was assembled, he has categorically stated that the present story is concocted.

Learned counsel for the informant and learned APP for the State, on the basis of the material available on the record and the case diary, have vehemently opposed the prayer for bail of the petitioner and submits that the F.S.L.report suggests that the cause of death of Manoj Kumar Yadav is that *“it contained one sealed glass jar said to contain viscera of deceased namely Manoj Kumar Yadav aged about 35 years Son of Nandu Yadav (PM held on 20.12.2020). The glass jar contain some dark brown colour fluid which could have been decomposed tissues of viscera. No metallic, Alkaloidal, Glycosidal, Pesticidal and Volatile poison could be detected in dark brown colour fluid as described above”*. Further submits that the co-accused, against whom, the similar allegation, namely, Rajaram Yadav and Guru Sharan Yadav, their prayer for bail was rejected by a Coordinate



Bench of this Hon'ble Court vide order dated 20.02.2023 passed in Cr. Misc. No. 42853 of 2022.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Singhwara P.S. Case No. 226 of 2020 pending in the court of learned Judicial Magistrate-1st Class, Darbhanga.

Prayer is refused.

(Rajesh Kumar Verma, J)

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