

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42086 of 2023

Arising Out of PS. Case No.-587 Year-2020 Thana- AMARPUR District- Banka

Mamta Devi Wife Of Sanjeev Yadav Resident Of Village- Bhaluhar, Ps-
Amarpur, District- Banka, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 302, 120(B), 34 of the Indian Penal Code and
Sections 25(1-B) a, 26, 35 of the Arms Act.

The prosecution case is based on the fardbeyan
of the informant alleging therein that while the son of
the informant was returning to his home, in the
meantime, the petitioner along with other accused
persons committed his murder. It is further alleged that
prior to the alleged occurrence, all the F.I.R named



accused persons including the petitioner had threatened the deceased of dire consequences.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. From the F.I.R itself, it would be evident that the informant is not the eye witness to the occurrence and only because of the prior animosity, all the F.I.R named accused persons have been implicated in this case and except suspicion, there is no cogent material showing the complicity of the petitioner in the present crime. Moreover, other similarly situated co-accused persons have been granted privilege of bail by a coordinate Bench of this Court vide order dated 20.09.2022 passed in Cr. Misc. No. 35028 of 2022. The petitioner is languishing in custody since 28.01.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be



released on bail on furnishing bail bonds of Rs. 10,000/-
(Ten Thousands) with two sureties of the like amount
each to the satisfaction of learned Additional District &
Sessions Judge-IV, Banka in connection with Amarpur
P.S. Case No. 587 of 2020 (Sessions Trial No.
137/2023).

(Sunil Kumar Panwar, J)

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