

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43367 of 2022

Arising Out of PS. Case No.-97 Year-2021 Thana- BIKRAM District- Patna

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DAMRU YADAV @ MANISH KUMAR SON OF SRI BINESHWAR
YADAV R/O VILLAGE- NAGHAR TOLA, P.S.- BIKRAM, DISTRICT-
PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 07-02-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Bikram P.S. Case No. 97 of 2021, for the offence registered under Sections 302 and 34 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioner herein having killed the husband of the informant when he had gone to purchase milk on his Scorpio vehicle.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is



having a clean antecedent and he is languishing in custody since 16.05.2022. The learned counsel for the petitioner has further submitted that a bare perusal of the impugned order dated 12.07.2022, would show that the role assigned to the petitioner, during the course of investigation, is that of an informer and on his tip off regarding the location of the deceased, the other accused persons had tracked and killed the deceased. Lastly, it is submitted that there is no eye-witness to the alleged occurrence and charge sheet has already been filed in the present case.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the impugned order dated 12.07.2022, this Court finds that the petitioner is not alleged to have killed the deceased, hence, I deem it fit and proper to admit



the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Danapur in connection with Bikram P.S. Case No. 97 of 2021.

(Mohit Kumar Shah, J)

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