

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47014 of 2022**

Arising Out of PS. Case No.-248 Year-2022 Thana- BARACHATTI District- Gaya

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SANJAY YADAV @ SANJAY KUMAR S/o Todi Yadav R/o village- Chanda,  
P.S.- Barachatti (Mohanpur O.P.), District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mahendra Thakur, Adv.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

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

The petitioner seeks regular bail in connection with Barachatti (Mohanpur O.P.) P.S. Case No. 248 of 2022, registered for the offence punishable under Sections 302/120(B) of the Indian Penal Code.

The case of the prosecution, according to the informant, is that on 18.3.2022 in between 8:00 pm. to 10:00 pm., the accused persons including the petitioner herein had murdered the brother of the informant, namely, Yogendra Kumar, by strangulating him.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 29.4.2022. It is further submitted that there is no eye-witness to the alleged occurrence as also no motive has been ascribed to the said incident. Lastly, it is submitted that similarly situated co-accused person has already been granted the privilege of bail by a coordinate Bench of this Court, vide order dated 9.12.2022, passed in Criminal Miscellaneous No. 49078 of 2022.

Per contra, the learned APP 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 parity of the case of the petitioner with that of the co-accused person, who has already been granted bail by a coordinate Bench of this Court, I deem



it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Sherghati at Gaya in connection with Barachatti (Mohanpur O.P.) P.S. Case No. 248 of 2022.

**(Mohit Kumar Shah, J)**

Ajay/-

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