

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49066 of 2022

Arising Out of PS. Case No.-248 Year-2021 Thana- MAJORGANJ District- Sitamarhi

Satya Prakash Yadav @ Prakash Yadav Son Of Ram Chandra Prasad Yadav
Resident Of Village - Maniyari Ward No.- 07, P.S.- Punoura, District -
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 13-02-2023 Let the defects, if any, pointed out by the office be removed within two weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks regular bail in connection with Mejorganj P.S. Case No. 248 of 2021 registered for the offences punishable under Sections 302, 120(B) and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution, this petitioner along with other co-accused persons killed the informant's father due to a land dispute between both the parties.

The main submissions advanced by learned counsel Mr. Ranjeet Kumar Mishra, appearing for the petitioner are that the petitioner is not named in the FIR, his name surfaced during the investigation and during investigation he was arrested on suspicion and he was made accused mainly on the basis of his own statement but the police failed to get any material or evidence against him and as per the petitioner's own statement, he provided help to co-accused persons in getting the service of co-accused Shyam Pandey in killing the deceased and the said co-accused Shyam Pandey has also been granted bail by Co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 30522 of 2022 and one named co-accused namely, Ram Sagar Mahto has been granted anticipatory bail by Co-ordinate Bench of this Court. Further submission is that against the petitioner there is criminal antecedent of five cases in which he is on bail.

Learned APP Mr. Ashok Kumar Singh, appearing for the State has opposed the prayer for bail.

Having considered the above submissions and mainly the privilege of bail having been granted to the above-mentioned co-accused persons by different Benches of this Court and the case of the petitioner stands on better footing with co-accused Ram Sagar Mahto who is named in the FIR, is on

bail and as per the order of learned Court below the prosecution is mainly relying upon the self-statement of the petitioner regarding his involvement in the alleged crime and investigation has been completed against the petitioner as per the submission of petitioner’s counsel, in the opinion of this Court the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Mejorganj P.S. Case No. 248 of 2021.

(Shailendra Singh, J.)

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