

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57414 of 2022

Arising Out of PS. Case No.-44 Year-2014 Thana- BASANHI District- Saharsa

PANKAJ YADAV S/o Late Dev Narayan Yadav @ Devo Yadav R/V- Mokma
Tola Bijulia, P.S.- Basanahi, Distt- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratik Mishra

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 302 of the Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, it is alleged that on 04.06.2014, while the informant along with her daughter-in-law were bringing bundle of maize in the house and her son was sitting at the door. In the meantime, petitioner along with co-accused persons armed with weapons came at the door and caught hold of her son and dragged him outside. Thereafter, it is alleged that petitioner along with co-accused made one fire



each hitting head of her son namely Hari Yadav, due to which he died instantly. It is also alleged that rest of the accused persons fired indiscriminately.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is land dispute, between the parties, which resulted into implication. During post-mortem which is annexed as Annexure-2, only two bullet injuries have been found and taking note of this fact a co-ordinate bench of this Court has already been granted bail vide order dated 05.05.2022 passed in Cr. Misc. No 56108 of 2021. Nothing incriminating articles have been recovered from the conscious possession of this petitioner. It is further submitted that the petitioner is languishing in judicial custody since 12.08.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the above said facts and custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Basanahi P.S. Case No. 44 of 2014 on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of the like amount
each to the satisfaction of learned Additional Sessions Judge
VIIth, Saharsa.

(Sunil Kumar Panwar, J)

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