

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66378 of 2022

Arising Out of PS. Case No.-634 Year-2021 Thana- JAHANABAD District- Jehanabad

SITA RAM YADAV, male, aged about 43 years, SON OF LATE DWARIKA
YADAV, R/O VILLAGE- LATUPHULAHCHAK, P.S.- JEHANABAD
(KARAUNA O.P.), DISTRICT- JEHANABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kumar Uday Pratap, Advocate
Ms. Hastina Pratap, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 12-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Jehanabad (karauna O.P.) P.S. Case No. 634 of 2021 dated
08.10.2021 registered for the offence(s) punishable under
Section(s) 364/34 of the Indian Penal Code and later on
Sections 302, 201, and 120(B) were also added.

As per the prosecution, the informant alleged that the
petitioner along with other co-accused persons kidnapped and
later killed the informant's son with regard to an old land
dispute running in between both the parties.

The main submissions advanced by the learned
counsel for the petitioner are that after the missing of



informant's son, the informant firstly filed a informatory petition (Annexure 2) in which he simply revealed the factum of missing of his son and later on with malice intention and afterthought filed the FIR in which he named this petitioner and several others and the facts mentioned in the said informatory petition are contradictory to each-other, the petitioner has fair and clean antecedent and due to previous land dispute, he has been implicated in this case and co-accused person, namely, Suraj Kumar, who is also named in the FIR, carrying similar nature of allegation, has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.22977 of 2022 and co-accused persons, namely, Pramod Kumar, Ram Pujan Yadav, Sudama Yadav, Chand Kumar and Shyam Kumar have been granted anticipatory bail by different co-ordinate Benches of this Court vide orders passed in Cr. Misc. Nos.32835 of 2022 and 54957 of 2022 and the petitioner has been languishing in jail since 03.09.2022 and specific role of the petitioner in the alleged occurrence has not been revealed in the FIR.

Learned APP appearing for the State has opposed the bail prayer.

In view of the facts, as stated above, and mainly the



privilege of bail having been granted to several co-accused persons, who are carrying the similar nature of allegation like the petitioner, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the petitioner 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 the Court concerned in connection with Jehanabad (karauna O.P.) P.S. Case No. 634 of 2021.

(Shailendra Singh, J)

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