

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17230 of 2024

Arising Out of PS. Case No.-445 Year-2022 Thana- KUMAR KHAND District- Madhepura

1. SANJIT KUMAR YADAV @ SANJIT KUMAR SON OF LATE RAMNAND YADAV RESIDENT OF VILLAGE - BARAHKURWA, (BHATNI O.P.), WARD NO.15, POLICE STATION - KUMARKHAND, DISTRICT - MADHEPURA
2. MUKESH YADAV @ MUKESH KUMAR SON OF GAJENDRA YADAV RESIDENT OF VILLAGE - RAMPUR, POLICE STATION - MURLIGANJ, DISTRICT - MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad
For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 302, 120B, 386/ 34 of the Indian Penal Code.

3. As per prosecution case, it is alleged that the petitioner is indulged in hatching conspiracy to shot dead the father of the informant, namely, Ramandand Yadav in connivance with other accused persons. The alleged occurrence took place in the background of money dispute.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. The informant is not eye witness of the alleged occurrence rather she has falsely been implicated in this case on the basis of mere suspicion. It is further submitted that the alleged occurrence took place on 20.12.2022 and Postmortem was also conducted at the same day whereas the FIR was lodged on 22.12.2022 after delay of two days which creates serious doubt in authenticity of the prosecution. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 18.09.2023 passed in Cr. Misc. No. 49324 of 2023. The petitioners have got no criminal antecedent as stated in par-3 of the bail petition and languishing in judicial custody for more than four months.

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

6. Considering the facts and circumstances of the case as well as the the period of custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Kumarkhand (Bhatni OP) P.S. Case No. 445 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions



Judge-III, Madhepura.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

