

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30548 of 2024

Arising Out of PS. Case No.-168 Year-2023 Thana- MANJHI District- Saran

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Dinesh Yadav @Lali Yadav @ Dinesh Kumar Yadav Son of Kedar Yadav
Resident of Village- Chainpur Ps- Siswan, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Kumari Anupam, Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Manjhi
P.S. Case No. 168 of 2023 instituted for the offences under
Sections 302, 120(B)/34 of the Indian Penal Code and Section
27 of the Arms Act.

3. As per prosecution case, the father of the Informant
was shot dead while they were returning from wedding
ceremony.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to village politics and ill motive. The petitioner is not



named in the F.I.R. and his name has surfaced in this case on the basis of confessional statement of co-accused Ravi Yadav. He further submits that during whole investigation, no an iota of evidence has come against the petitioner. The Informant himself is not a reliable person in the eye of law due to his varied statements at different stages. There is no specific and direct allegation of any overt act against the petitioner rather the same is against Nautanki Singh and Gadar Singh. Charge-sheet has already been submitted in this case. The petitioner has altogether 35 criminal antecedents as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 05.06.2023.

5. Learned counsel for the petitioner again submits that the co-accused Jay Shankar has been granted bail by this Court vide order dated 04.03.2024 passed in Cr. Misc. No. 13123 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the prayer for bail being based on parity, let the petitioner,



abovenamed, be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Manjhi P.S. Case No. 168 of 2023, subject to following conditions;

(i) One of the bailors shall be own/close member of the family of the petitioner.

(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

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