

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31887 of 2024

Arising Out of PS. Case No.-531 Year-2023 Thana- AMARPUR District- Banka

Shambhu Yadav @ Shambhu Kumar Son of Manbodh Yadav R/o Village -
Mirzapur, P.S.- Barahat, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Dhananjay Pandey, Advocate
For the Opposite Party	:	Mr.Umanath Mishra, APP
For the Informant	:	Mr. Ranjeet Choubey, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 08-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State as well as learned counsel for the informant.

2. The petitioner has preferred this application for grant of regular bail in connection with Amarpur P.S. Case No. 531 of 2023 dated 23.07.2023 registered for the offences punishable under Sections 302 and 201/34 of the I.P.C.

3. As per the prosecution case, on 23.07.2023 the informant got information that her husband has been murdered and his dead body was near *Dhodha Channel*. On the information, she went there and identified the dead body with the sign of injury on his neck. Her husband went out on 22.07.2023 at about 7.00 P.M. by his motorcycle. In the morning, she got information about murder. Her husband had



illicit relationship with the co-accused Anita Devi. Before occurrence her husband was assaulted many times and threatened to murder by the accused and others. Lastly, she claimed that her husband was murdered by the co-accused Anita Devi and her relatives and hanged on a tree to hide the dead body.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. His name has come in the present case during the course of investigation. The petitioner is made accused in this case only because he is brother of the co-accused, Anita Rai. The other co-accused person has already been granted bail by this court *vide* order dated 31.07.2024 passed in Cr. Misc. No. 16487/2024. The petitioner is accused in nine other criminal cases out of which only in one case the petitioner has not been granted bail as stated at Supplementary Affidavit. The petitioner is in custody since 29.11.2023.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka in connection with Amarpur P.S. Case No. 531 of 2023, with the condition ;-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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