

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52509 of 2024

Arising Out of PS. Case No.-111 Year-2023 Thana- DHANAHA District- West Champaran

Sakaldeo Yadav S/O Late Ramdhari Yadav R/O Village- Mushahari Baira
Bazar, P.S- Dhanaha, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1, Adv.

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

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

ORAL ORDER

3 04-10-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Dhanaha P.S. Case No. 111 of 2023 instituted for the offences
under Sections 302, 120(B) and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged
date and time of occurrence, some miscreants cut the belly of
the Informant's mother as well as the elder brother of the father
of the Informant using sharp edged weapon.

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.
The petitioner is not named in the F.I.R. and his name has



surfaced in this case on the basis of the confessional statement of co-accused Amal Yadav. There is no eye-witness to the alleged occurrence. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. He further submits that except confessional statement, there is nothing against the petitioner. Charge-sheet has been submitted in this case. The petitioner has no concern with the alleged occurrence. The petitioner has altogether four criminal antecedents and has been remanded in this case on 02.02.2024.

5. Learned counsel for the petitioner again submits that the co-accused namely Hira Yadav @ Heera Yadav and Kamal Yadav @ Kamla Yadav have been granted bail by this Court vide common order dated 01.05.2024 passed in Cr. Misc. Nos. 18562 of 2024 and 25786 of 2024 respectively.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature and, hence, he does not deserve bail. He further states that the name of the petitioner has transpired in this case on the



basis of confessional statement of co-accused Amal Yadav in which he has confessed killing of three persons in association with the petitioner and others.

7. Having heard rival contention of both the parties as also considering the nature and gravity of the offence alleged against the petitioner, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial.

(Rudra Prakash Mishra, J)

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