

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60624 of 2024

Arising Out of PS. Case No.-208 Year-2023 Thana- SAHPUR District- Patna

1. Chunnu Yadav @ Punnu Yadav @ Nand Kishore Yadav, aged about 36 years, Male, Son of Upendra Rai, Resident of Village - Nurpur Chandramari, P.S. - Shahpur, District – Patna.
2. Suraj @ Chhotu, aged about 28 years, Male, Son of Upendra Rai, Resident of Village - Nurpur Chandramari, P.S. - Shahpur, District – Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Jeetendra Narayan, Advocate
For the Opposite Party	:	Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 26-10-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Shahpur P.S. Case No. 208 of 2023 dated 17.03.2023 registered for the offences punishable under Section 302 read with Section 34 of the I.P.C.

3. As per the prosecution case, the informant's father had a fish farm and was also growing ladyfingers there, the petitioners and the co-accused persons used to consume smack, liquor and ganja near his orchard and also used to abuse and create nuisance and on being protested, they abused, assaulted and threatened him for dire-consequences. On 17.03.2023, some



unknown persons were consuming liquor in the south of the informant's pond and were abusing indicating the informant and his father but they did not raise any objection and the informant returned to his house, while his father remained in a hut beside the said pond. On the same day at 9.30 P.M., when the informant returned to the said hut he saw in the light of torch that the co-accused Sanjay Yadav @ Ujjagar alongwith some unknown was fleeing away towards southern side saying that the work was finished. The informant went inside the hut and found his father lying dead on a chair and there was red/black coloured spot on his neck. The informant made a noise and the villagers and their family members gathered there. The informant has believe that his father was murdered by the said persons by strangulation.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in the present case. It is further submitted that in the F.I.R., the informant has specifically made allegation against the co-accused Sanjay Yadav @ Ujjgar and there is no consistent evidence against the petitioners which suggest their implication in the present case. No incriminating article has been recovered from their possession. They have no concern with the alleged



offence. The other co-accused persons have already been granted bail by the then Co-ordinate Bench of this Court vide Cr. Misc. No. 57410 of 2023 with Cr. Misc. No. 57119 of 2023 with Cr. Misc. No. 59731 of 2023 under order dated 02.12.2023, annexed as Annexure-2 to the present bail petition. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail application. The petitioners are in custody in this case since 06.04.2024.

5.Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Danapur, Patna, in connection with Shahpur P.S. Case No. 208 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

