

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69869 of 2024

Arising Out of PS. Case No.-30 Year-2020 Thana- BHELDI District- Saran

MUNNA LAL YADAV @ JUNNA LAL YADAV @ JHUNNA LAL YADAV
S/O- SHRAVAN RAI @ SARAL RAI Village- Kewari Kalan Ps- Amnour
Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary
For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 13-12-2024
1. Heard learned counsel for the petitioner, learned APP for the State and the learned counsel appearing on behalf of the informant, Mr. Pramod Kumar Yadav.
 2. The petitioner seeks bail in a case registered for the offences punishable under Sections 302, 392 and 34 of the Indian Penal Code read with Section 27 of the Arms Act.
 3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases and has been falsely implicated in the instant case by the informant. It is next submitted that police after threadbare investigation came to a considered conclusion that petitioner is innocent and thus submitted final form exonerating the petitioner of the charges, but then the learned Magistrate based on protest took



cognizance.

4. The learned counsel for the petitioner submits that when one investigating agency after threadbare investigation came to a considered conclusion that petitioner is innocent, whether it would be prudent for this Court to keep the petitioner in judicial custody based on an order of cognizance which came to be taken on protest filed by the informant. It is next submitted that petitioner is in custody since 08.07.2024. It is further submitted that similarly situated co-accused Ravindra Ray had approached this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 56254 of 2024 and the same came to be allowed by an order dated 12.09.2024.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant oppose the prayer for bail of the petitioner, but then they are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that police after investigation submitted final form exonerating the petitioner of the charges.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned trial court where the case is pending/successor court in connection with Bheldi P.S. Case No. 30 of 2020.

7. However, it is made clear that if the learned Trial Court comes to a conclusion that petitioner after his release is trying to delay the trial in any manner in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner forthwith after recording reasons.

(Satyavrat Verma, J)

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