

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75412 of 2023

Arising Out of PS. Case No.-216 Year-2021 Thana- BODHGAYA District- Gaya

Sanjay Kumar @ Sanjay Yadav Son Of Ganga Yadav Resident Of Village -
Dirawan, P.S. - Cherki, District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 328, 302 and 34 of the Indian Penal Code and later on charge sheet has been submitted under Sections 306 and 34 of the IPC.

3. As per FIR, informant alleged that his brother had visited the house of accused persons including this petitioner for settling the dispute relating to passage through panchayati. It is further alleged that after having tea at the house of accused persons, the informant's brother(deceased) returned to his house and started vomiting and later on during the course of treatment, he died.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to land dispute. It is further submitted from para-7 of this petition that during investigation, I.O has seized the mobile phone of the deceased in which video recording of deceased was there. The deceased had himself stated through video recording that Sanjay Yadav and Ajay Yadav are his uncles who are not giving passage and due to that reason, he was going to commit suicide. Nothing specific allegation of commission of murder against the petitioner. Similarly situated other co-accused person has already been granted bail by another co-ordinate Bench of this Court vide Annexure-3 of this petition. Moreover, he is languishing in judicial custody since 17.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bodh Gaya (Cherki) P.S. Case No. 216 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Gaya.

(Sunil Kumar Panwar, J)

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