

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84421 of 2023

Arising Out of PS. Case No.-308 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

1. SUKHDEV YADAV @ SUKHDEV YAV S/o Late Ram Dayal Yadav R/o Village-Chitkundi Chakiya, P.S-Ara Mufassil, District-Bhojpur.
2. Mallu Yadav @ Tribhuvan Yadav S/o Sukhdev Yadav R/o Village-Chitkundi Chakiya, P.S-Ara Mufassil, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta
For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 302, 201, 34 of the Indian Penal Code.

3. As per FIR, the informant alleged that due to previous dispute the petitioners in connivance with others committed murder of her son thereafter, they hanged his dead body on a tree. It is further alleged that she had seen the petitioners and others fleeing from the place of occurrence.

4. Learned counsel appearing on behalf of the



petitioners has submitted that petitioners are innocent and have committed no offence. The informant is not an eye witness of the alleged occurrence rather the petitioners have falsely been implicated in this present case due to dirty village politics and on the basis of suspicion. It is stated by the informant in her *fardbeyan* that in dark night she had seen the petitioners and others fleeing from the place of occurrence but no specific allegation levelled against these petitioners rather general and omnibus allegation levelled against them and they were also not apprehended from the place of occurrence. It is further submitted that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 19.07.2023 and 25.07.2023 respectively.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioners on bail **after framing of charge, if not framed**. The above named petitioners are directed to be released on bail in connection with Ara Muffasil P.S. Case No. 308 of 2023 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 Bhojpur at Ara.

Manishkumar/-

(Sunil Kumar Panwar, J)

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