

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1239 of 2024

Arising Out of PS. Case No.-85 Year-2021 Thana- MAHISHI District- Saharsa

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SANJAY YADAV S/O LATE YUGESHWAR YADAV R/O VILLAGE-
SUKHASANI, P.S- BAKHTIARPUR, DISTT.- SAHARSA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.165 of 2022 (arising out of Mahishi P.S. Case no.85 of 2021) registered under sections 302, 120B and 34 of the Indian Penal Code and sections 25(1-B)(a), 26, 27 and 35 of the Arms Act.

3. As per the prosecution case, it is stated that an information was received by the informant from Perwej Alam about his father having been shot dead by accused persons. On reaching the place of occurrence, he saw that his father had been killed.

4. Learned counsel for the petitioner submits that the F.I.R. was registered against unknown. The name of the petitioner transpired in course of investigation in the



confessional statement of co-accused Shyam Sunder Yadav who has himself been enlarged on bail vide order dated 29.3.2022 passed in Cr. Misc. no.51414 of 2021. The petitioner is in custody since 19.4.2023 and chargesheet has been submitted in the case. It is submitted that charge has been framed in the learned trial Court and the petitioner undertakes to cooperate in the trial.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the material that has transpired in course of investigation, grant of bail to co-accused Shyam Sunder Yadav on whose confessional statement the name of the petitioner transpired and the petitioner having remained in custody for 11 months since 19.4.2023, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.165 of 2022 (arising out of Mahishi P.S. Case no.85 of 2021) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Saharsa.

(Partha Sarthy, J)

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