

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6144 of 2025

Arising Out of PS. Case No.-97 Year-2024 Thana- Patarghat District- Saharsa

1. Shayamal Yadav @ Shyamal Yadav @ Shyamlal Yadav S/O Late Shividani Yadav Resident of village- Bisanpur, Ward no.- 04, P.S.- Patarghat, Distt.- Saharsa
2. Ranvir Yadav @ Ranvir Kumar Yadav S/O Dipnarayan Yadav Resident of village- Bisanpur, Ward no.- 04, P.S.- Patarghat, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashish Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 05-03-2025 Heard learned counsel for the petitioners and learned APP for the State. Perused the case diary.

2. The petitioners seek bail in connection with Patarghat P.S. Case No. 97 of 2024 instituted for the offence under Sections 120(B), 302 & 34 of the Indian Penal Code.

3. Prosecution case in short is that the brother of the informant was done to death by the FIR named accused persons and other unknown persons.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 10-09-2024. Petitioner No. 1 bears one criminal antecedent whereas petitioner No.2 is a man of clean antecedent, as per disclosure made in paragraph



No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case due to a long standing land dispute and local village politics. It is submitted that the case is fabricated, driven by enmity between the informant's politically influential family and the petitioners, who did not support them in a local election. There is no eye witness to the occurrence. The petitioners were not present at the time of occurrence. Learned counsel submits that even elderly bedridden relative has also been falsely implicated, highlighting the baselessness of the allegations. Charge sheet is submitted in this case. Other co-accused have been granted regular bail by this Court vide orders dated 21-11-2024 & 10-01-2025, passed in Cr. Misc. No. 71172 of 2024 and Cr. Misc. No. 76975 of 2024, respectively.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Referring to paragraph No.40 of the case diary, the statement of the witnesses were recorded, in which they told the name of the petitioners and also told that in furtherance of common intention, they killed the informant's brother by hatching conspiracy.



7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, claim based on parity and there being no cogent material against the petitioners coupled with fact that charge sheet being submitted, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Patarghat P.S. Case No. 97 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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