

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10847 of 2025

Arising Out of PS. Case No.-80 Year-2024 Thana- MANIHARI District- Katihar

Pradyuman Yadav @ Praduman Yadav Son of Sahbali Yadav @ Sahabali
Yadav Resident of Village - Mirjapur Baghar, P.S. - Manihari, District -
Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-02-2025 Heard the learned Advocate for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Manihari P.S. Case No. 80 of 2024 registered
for the offences punishable under Sections 302/34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. Allegedly in the night of 30.03.2024, at about 9:00
PM, while the son of the informant after taking meal sleeping in
his cow-shed, in the meanwhile, the informant heard the sound
of firing, whereupon he rushed there, but did not find his son.
The informant has given information to the police, who came
and made all the efforts to search the son of the informant, but
did not find any success. Later on, on 31.03.2024, at about 1:00



PM, the dead body of the son of the informant was found lying in the western side of his house.

4. Learned Advocate for the petitioner contended that the F.I.R. has been instituted against unknown criminals and no suspicion whatsoever has been raised against the petitioner. However, during the course of investigation only on account of the fact that on the fateful day the petitioner along with co-accused Vishal Kumar Yadav @ Vishal Yadav were accompanied him, the names of both the persons have been implicated in this case. It is further contended that in fact it is the petitioner and co-accused Vishal Kumar Yadav @ Vishal Yadav who along with the informant went to the police station to lodge the FIR; moreover there is no eye witness to the alleged occurrence nor any material has been collected during the course of investigation even to the extent of last seen. Taking note of the aforesaid fact, co-accused Vishal Kumar Yadav @ Vishal Yadav has been accorded the privilege of regular bail by this Court in Cr. Misc. No. 54595 of 2024 *vide* order dated 25.09.2024.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that during the course of investigation ample materials have collected



against the petitioner suggesting his complicity in the crime; moreover, the petitioner bears two other criminal antecedent, besides the present one.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire allegation against the petitioner is based on suspicion, coupled with the fact that co-accused person having identical allegation has been accorded the privilege of bail by this Court as also the fact that the investigation of the crime is complete and the charge sheet has been submitted, let the petitioner, named above, 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 learned Chief Judicial Magistrate, Katihar in connection with Manihari P.S. Case No. 80 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or



intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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