

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17961 of 2025

Arising Out of PS. Case No.-356 Year-2023 Thana- JOGAPATTI District- West Champaran

Shambhu Yadav @ Shambhu Prasad Yadav Son of Garjan Yadav R/o
-Village- Chaumukha, P.S - Jogapatti, District - West Champaran (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Shankar Pandey, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 03-04-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Jogapatti P.S. Case No. 356 of 2023, instituted for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that, son of the informant went out to play but did not return. The next morning his dead body was recovered. The informant states that he suspects the eight named accused persons including the petitioner herein to be involved in the occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is named in the FIR, however except for the informant having raised an unsubstantiated suspicion against the petitioner, neither there is any material in the FIR nor any material has transpired in course of investigation to connect the petitioner with the alleged crime. The petitioner is in custody since 22.01.2025 and has got five criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted regular bail by a Co-ordinate Bench of this Court vide order dated 21.03.2024 passed in Cr. Misc. No. 3617 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Jogapatti P.S. Case No. 356 of 2023, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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