

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15421 of 2025

Arising Out of PS. Case No.-58 Year-2024 Thana- GORADIH District- Bhagalpur

Sattan Yadav S/o Late Moti Yadav R/o village - Bhaigaon, P.S. -Goradih, Dist.
- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP

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

ORAL ORDER

4 30-06-2025 Heard learned counsel for the petitioner
and learned APP for the State. Perused the case
diary.

2. The petitioner seeks bail in connection
with Session Trial No. 843 of 2024 arising out of
Goradih P.S. Case No. 58 of 2024 instituted for the
offences under Sections 302/34 of the Indian Penal
Code.

3. As per prosecution case, the accusation
against the accused persons including the
petitioner is of committing murder of the
Informant's father by cutting his neck by means of
sharp edged weapon.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to ulterior motive of the Informant. There is no eye-witness to the alleged occurrence and has been implicated in this case on the basis of confessional statement of the co-accused. Even the Informant is not the eye-witness to the alleged occurrence. He further submits that the police arrested the petitioner and took his confessional statement which has no evidentiary value in the eye of law. The alleged recovered mobile from the possession of the petitioner has not been put on Test Identification Parade and no one has alleged that the recovered mobile belongs to the deceased. Learned counsel for the petitioner further submits that the actually nothing incriminating has been recovered from the conscious possession of the petitioner. It is further submitted that the police has shown the recovery of mobile of the deceased from the possession of the petitioner is totally



false, fabricated and only a plantation under the conspiracy. The petitioner has no concern with the alleged occurrence. The petitioner has five criminal antecedents and, in all of them, he is on bail as has been stated in Para-2 of the present bail petition and is languishing in judicial custody since 26.07.2024 without any rhymes or reason. Charge-sheet has been submitted in this case. He further submits that the co-accused Vyapri Mandal and Binod Das have already been granted bail by this Court vide orders dated 25.03.2025 and 27.03.2025 passed in Cr. Misc. Nos. 78852 of 2024 and 608 of 2025 respectively.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. He further submits that the charge-sheet has been submitted in this case and the cognizance has also been taken against the petitioner and other accused persons. Postmortem report supports the prosecution case.

6. Having heard rival contention of both



the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner as also the prayer for bail being based on parity, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Session Trial No. 843 of 2024 arising out of Goradih P.S. Case No. 58 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.



(Rudra Prakash Mishra, J)

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