

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20418 of 2025

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

Guddu Yadav @ Guddu Kumar Yadav S/o- Shiv Shankar Yadav Village-
Chaumukha Ps- Yogapatti Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

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

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. Prosecution case, in short, is that the son of the
informant went out to play but did not return. The informant last
seen his son going along with co-accused Ram Chhatri Yadav
on his motorcycle. The next morning the dead body of the
informant's son was recovered. The informant suspects that all
the FIR named accused persons including the petitioner have
committed the murder of his son.

4. Learned counsel for the petitioner submitted that the



petitioner is innocent and has falsely been implicated in the present case. Learned counsel further submitted that on perusal of the FIR itself it is evident that informant is not eye-witness to the occurrence and has only raised suspicion against the petitioner. There is no specific overt act alleged against the petitioner and nor the deceased was last seen with the petitioner. Learned counsel further submitted that except suspicion, there is no material against the petitioner to show his involvement in the alleged occurrence. It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.01.2025 and has no criminal antecedent. The similarly situated co-accused persons have already been granted bail by a coordinate Bench of this Court vide order dated 21.03.2024 passed in Cr. Misc. No. 3617 of 2024 and Cr. Misc. No. 6475 of 2024.

5. Learned A.P.P. 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, there being no specific material against the petitioner, claim based on parity as also the period of custody undergone by the petitioner, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Yogapatti P.S. Case No. 356 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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