

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28502 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- DARBHANGA SADAR District-
Darbhanga

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Sogarath Yadav Son of Late Prabhu Yadav Resident of Village- Sara
Mohanpur, P.S.- Sadar, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Kalpana, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. Petitioner is in custody since 26.02.2025 in a case in
connection with Sadar P.S. Case No.19 of 2025 registered for an
offence punishable under Sections 140(3),3(5) of the B.N.S.

3. As per the allegation in the FIR, the informant gave
her statement before the police alleging that on 09.01.2025 at
about 4:00 P.M two persons namely, Rajesh Kumar Yadav and
Pankaj Kumar taken away her husband and he did not return. It
is further alleged that on 22.12.2024 in the night, a dispute was
made between the husband of the informant and her villager,
namely, Sanjay Mahto when she asked about her husband, the
said accused persons, namely, Rajesh Kumar Yadav and Pankaj



Kumar said that they left her husband at Ganj Chowk and came back.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He next submits that there is no specific allegation against the petitioner. He further submits that petitioner is not named in the FIR, name of the petitioner has been surfaced during the investigation only on the basis that he is the father of the co-accused, Manish Yadav. He next submits that during the investigation, the son of the petitioner, namely, Manish Yadav was shown in the C.C.T.V. footage and the mobile tower location of the said Manish Yadav has also been located and except that there is no other material found on record against the petitioner. He further submits that petitioner is under custody since 26.02.2025. He next submits that petitioner has got no criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. From perusal of the First Information Report and impugned order dated 11.03.2025, it appears that in para-31 of the case diary, I.O. has mentioned that Manish Yadav, who is son of the accused petitioner was shown in the C.C.T.V. footage and



para-47 of the case diary shows that the tower location of Manish Yadav, who is son of the accused petitioner and tower location of the informant's husband was found from the same place. So, considering the aforesaid facts and circumstances of the case, submission of the learned counsel for the petitioner as well as the fact that petitioner is not named in the FIR and name of the petitioner has been transpired during the investigation because of the reason that his son was shown in the said C.C.T.V footage and his tower location was also found along with husband of the informant from the same place and also the fact that petitioner has got no criminal antecedent, let the above named petitioner be released on bail, on his furnishing bail bonds of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Sadar P.S. Case No.19 of 2025 with a condition that petitioner shall co-operate in the investigation.

(Ramesh Chand Malviya, J)

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