

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27039 of 2025

Arising Out of PS. Case No.-549 Year-2020 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Pramod Yadav S/o- Late Ramjivan Yadav R/O Mohalla- Mayaganj Ps-Barari
Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Harsh Singh, Advocate
For the State	:	Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 120B and 34 of the
Indian Penal Code.

3. As per prosecution case, it is alleged that three
F.I.R. named accused persons, including this petitioner and 4-5
unknown persons caught husband of informant and slit his neck
with sharp edged weapon. When informant raised *hulla*, all the
accused persons fled away.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.



From bare perusal of the F.I.R. it is apparent that informant is not an eye-witness to the occurrence. It is further submitted that as per F.I.R., the F.I.R. named accused persons and 4-5 unknown persons have committed the alleged occurrence, however, the *post mortem* report suggests only one incised injury and moreover it has not been specifically alleged that as to who caused the fatal blow. Similarly situated co-accused person, namely Amit Yadav, has already been granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 08.08.2022 passed in Cr. Misc. No. 49261 of 2021. Petitioner has got no criminal antecedents and he is in custody since 13.01.2025. Charge-sheet has already been submitted.

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

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity, clean antecedents of the petitioner and period of custody, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in



connection with Kotwali (Barari) P.S. Case No. 549 of 2020.

(Prabhat Kumar Singh, J)

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