

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45541 of 2024

Arising Out of PS. Case No.-284 Year-2017 Thana- NAUGACHIA District- Bhagalpur

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Suman Yadav @ Suman Kr. Yadav Son of Late Tunna Yadav @ Tuno Yadav
Resident of Village - Bhawanipur, P.S.- Rangra (Gopalpur), District -
Bhagalpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

ORAL ORDER

5 05-03-2025 Heard Mr. Narendra Kumar Singh, the learned

Advocate for the petitioner and the learned APP for the

State.

2. The petitioner seeks bail in connection with

Sessions Trial No. 769(A)/ 2018, arising out of

Naugachia P.S. Case No. 284 of 2017 dated 17.11.2017

instituted for the offences under Sections 302/120-B of

the Indian Penal Code and Section 27 of the Arms Act.

3. The prayer for anticipatory bail of the

petitioner was earlier rejected by this Court vide order

dated 03.12.2020 passed in Cr. Misc. No. 26461 of

2020.

4. Though the petitioner has been named by the

informant and others for conspiring and killing the

deceased but the main suspicion is on Nilam Devi who has



been granted bail. One Lodha Yadav, another co-accused also has been granted bail by this Court earlier. The case of the petitioner stands on exactly similar footing as that of Nilam Devi and Lodha Yadav.

5. Be that as it may, some of the accused persons of this case faced trial and were acquitted. The petitioner could not be tried along with the other accused persons for the reason of his having been made an accused in another case of murder in which he was in jail.

6. In the present case, the petitioner has been remanded on 24.01.2024 and since then he is in custody.

7. In the trial of the petitioner, up till now only two witnesses have been examined, none of whom have spoken anything against the petitioner. In fact, the two witnesses examined, viz., Sanjay Mistri and Bina Devi have expressed their complete ignorance about the factum of murder and the accusation of the petitioner.

8. Considering this aspect of the matter, this Court is inclined to grant bail to the petitioner subject to



certain conditions.

9. The petitioner shall be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-1, Naugachia in connection with Sessions Trial No. 769(A)/ 2018, arising out of Naugachia P.S. Case No. 284 of 2017 subject to following conditions :

- (i) One of the bailors shall be the mother of the petitioner.
- (ii) The petitioner shall participate in the trial and his consecutive absence on two dates without sufficient explanation will render his bail liable to be cancelled by the Trial Court.

10. The petition stands disposed off.

(Ashutosh Kumar, ACJ)

Rajesh/Sujit

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