

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41585 of 2025**

Arising Out of PS. Case No.-88 Year-2018 Thana- BHADAUR District- Patna

=====

Pawan Yadav Son of Maltu Yadav @ Manohar Yadav R/O Vill- Kumhara,
P.S.- Dhoswari, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Bhadaur P.S. Case No. 88 of 2018 registered for the offences under Sections 302, 201 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, a dead body was recovered from a river. It was found that the said person was shot dead. The name of the petitioner transpired during investigation for being involved in the murder of the said person.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Initially the FIR has been lodged



against unknown and the name of the petitioner transpired in this case on the basis of confessional statement of co-accused Mukesh Yadav. The deceased was the brother-in-law of co-accused Mukesh Yadav and it transpired during investigation that on account of some monetary transaction, the murder was committed and the co-accused confessed his role in the murder of his brother-in-law and also disclosed about petitioner and other co-accused persons as his associates. Except for this confessional statement, there is no cogent material to show the involvement of the petitioner in the murder of the brother-in-law of the co-accused. Learned counsel further submits that co-accused Mukesh Yadav has been granted bail by a learned Single Judge of this Court vide order dated 15.11.2019 passed in Cr. Misc. No. 61956 of 2019. Co-accused Mithu Yadav and Lalu Yadav have been also granted bail by two different Co-ordinate Benches of this Court vide order dated 17.08.2019 passed in Cr. Misc. No. 27739 of 2019 and order dated 11.12.2019 passed in Cr. Misc. No. 68828 of 2019, respectively. The informant and the witness Nagina Yadav have not supported the case in Sessions Trial No. 650 of 2019. Petitioner is in custody since 16.04.2025 and he is having clean antecedent.

5. Learned A.P.P. opposes the submission made on



behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the name of the petitioner came up only in confessional statement of co-accused who has been granted bail by a Co-ordinate Bench and further considering the grant of bail to other similarly placed co-accused persons and also considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-III, Barh, Patna/concerned court in connection with Bhadaur P.S. Case No. 88 of 2018, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the



terms of the bail, the bail bond of the
petitioner will be liable to be cancelled by
the court concerned.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

