

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6475 of 2015

Arising Out of PS.Case No. -151 Year- 2013 Thana -BARARI District- KATIHAR

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1. Kailash Yadav Son of Late Hiralal Yadav Resident of Village- Bakia
Ranichak, P.S.- Barari, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Nararyan Poddar, Advocate.

For the Opposite Party/s : Mr. B.N. Pandey, (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 31-03-2015 Heard both sides.

The petitioner seeks bail in Barari P.S. Case No. 151 of 2013, registered for the offence punishable under Section 364 of the Indian Penal Code. The petitioner is not named in the FIR.

The informant, brother of Sona Lal Yadav alleged that Sona Lal Yadav had gone to the field but he did not return.

Learned counsel for the petitioner submits that the petitioner is also own brother of the victim Sona Lal Yadav. Nobody has seen the petitioner along with Sona Lal Yadav. Prior to the occurrence, some altercation had taken place for partition of the property and that is why the petitioner has been made accused. But except suspicion there is no material against the petitioner and the petitioner is in jail since 28.11.2014.



Learned APP did not dispute the facts.

It appears that there is no eye witness of the occurrence.

Sona Lal Yadav had gone to the field but did not return later on the informant and other family members only suspected the hands of the petitioner as the petitioner had threatened to kill Sona Lal Yadav at the time of quarreling for partition.

Considering the facts aforesaid, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Barari P.S. Case No. 151 of 2013.

(Prabhat Kumar Jha, J.)

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