

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14210 of 2015

Arising Out of PS.Case No. -87 Year- 2014 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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Rambinay Yadav @ Vinay Yadav S/o Pundeo Rai R/o Village-
Mahaddipur, P.O. Chiraiya, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Yadav

For the Opposite Party/s : Mr. Md.A.Haque Sahara(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 28-04-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since
19.09.2014 in a case registered for the offences punishable under
Sections 302 and 201 of the Indian Penal Code.

On recovery of the dead body of the son of
the informant from the field of Vishwanath Rai the FIR was
lodged against unknown. During investigation it transpired that the
daughter of co-accused Vinod Yadav has love affairs with the
victim when Vinod Yadav made confessional statement to the
effect that he along with his brother killed the victim. In the
confessional statement of co-accused Vinod Yadav the name of

the petitioner also transpired. During investigation several witnesses have also suggested the name of the petitioner.

It is submitted by learned counsel for the petitioner that only on the basis of suspicion and the confession of the co-accused the petitioner has been roped in the present case when there is no motive alleged against this petitioner for commission of the offence.

It is submitted by learned counsel for the informant that the name of the petitioner sprang up on the confession of Vinod Yadav to have participated in commission of the offence. The last call received on the mobile of the victim was of the petitioner.

Considering the accusation against the petitioner based on the circumstantial evidence and the investigation being concluded, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Sikrahana at Motihari in connection with Chiraiya P.S. Case No. 87 of 2014.

(Dinesh Kumar Singh, J)

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