

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6614 of 2015

Arising Out of PS.Case No. -112 Year- 2014 Thana -SINGHIYA District- SAMASTIPUR

- =====
1. Amarjeet Yadav, Son of-Rajeshwar Yadav, resident of Village-Neurighat, Police Station-Singhiya, District-Samastipur.
 2. Arun Yadav, Son of-Late Ram Pavitra Yadav, resident of Village-Pipra Chandauli, Police Station-Bithan, District-Samastipur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ramakant Sharma, Sr. Advocate.

For the Opposite Party : Mr. Lallan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 13-04-2015 Heard both sides.

The petitioners seek bail in Singhia P.S. Case No. 112 of 2014, registered under Sections 120(B) and 302/34 of the I. P.C.

The uncle of the deceased Santosh Kumar Yadav alleged that his nephew was driving the tractor of Ram Pravesh Yadav for filling earth alongwith other drivers. The informant further alleged that Ram Pravesh Yadav conspired with others and killed his nephew Santosh Kumar Yadav and kept the dead body under the wheel of tractor to give picture of killing as an accident.

Learned senior counsel for the petitioners submits that



the petitioners are not named in the F.I.R. The name of the petitioners figured in the statement of Roushan Kumar Singh, the cleaner of the tractor of the deceased. The said Roushan Kumar Singh was present on the place of occurrence but he did not either inform the police or the family members of the deceased. He made statement after 1½ months of the occurrence. It is further submitted that even if the statement of Roushan Kumar Singh is take at its face value without the fact that the maker made statement after 1½ months of the occurrence for the reason best known to him although he claimed to be an eye witness to the occurrence. no allegation of assault or causing death of Santosh Kumar Yadav is made against the petitioners. Roushan Kumar Singh alleged that Ram Pravesh Yadav assaulted Santosh Kumar Yadav and killed him.

On the other hand, learned counsel for the State vehemently opposed the prayer for bail but he did not point out any material except the statement of Roushan Kumar Singh, the cleaner of the tractor of the deceased, which was made after 1½ months of the occurrence.

Considering the facts aforesaid, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like

amount each to the satisfaction of the learned S.D.J.M., Rosera,
Samastipur, in Singhiya P.S. Case No. 112 of 2014.

U.K./-

(Prabhat Kumar Jha, J)

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