

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4822 of 2015

Arising Out of P.S. Case No. -455 Year- 2010 Thana - SAHARSA District- SAHARSA

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Kanhaiya Yadav, S/o Late Parmeshwari Yadav, R/o Mohalla Pashupalan Colony, Ward No. 2, P.S. & District Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Bhim Kumar Yadav, Advocate.

For the Opposite Party/s : Mr. Ambika Bhagat, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 28-04-2015

Heard both sides.

The petitioner seeks bail in a case under Sections 366A, 376(F), 302, 120B of the Indian Penal Code and different sections of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The father of the deceased alleged that his daughter, aged about nine years, had gone to purchase match box from the shop of Bigan Yadav but she did not return. The informant went in search of his daughter and found Shambhu Yadav @ Rambhu Yadav, Subhash Yadav, Munchun Sharma and other unknown persons taking wine at the shop of the petitioner Kanhaiya Yadav. The informant could not trace out his daughter but, on the next day, the dead body of his daughter was found in a bamboo bush. The minor girl was ravished and killed. It is submitted that there is

no eye witness of the occurrence. Nobody has seen the deceased in the company of the petitioner. Except suspicion, there is no material against the petitioner.

Sri Ambika Bhagat, learned Spl. P.P., has submitted that the witnesses have strongly suspected the hands of the petitioner. The offence is very heinous, brutal and barbaric in nature.

Considering the facts aforesaid and the fact that except suspicion there appears no material against the petitioner, the above named petitioner 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, Saharsa in Saharsa P.S. Case No. 455 of 2010.

(Prabhat Kumar Jha, J)

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