

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23746 of 2015

Arising Out of PS.Case No. -25 Year- 2015 Thana -BARHARA District- PURNIA

1. Umashankar @ Maina Son of Sri Gonar Prasad Singh resident of village
- Orlaha, P.S. Barhara, District - Purnea.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

with

Criminal Miscellaneous No.29285 of 2015

Arising Out of PS.Case No. -25 Year- 2015 Thana -BARHARA District- PURNIA

1. Ashok Mandal S/o Sri Anup Lal Mandal Resident of Village Barahara,
P.S. Bhawanipur, District Purnea. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

Appearance :

(In Cr.Misc. No.23746 of 2015)

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Jitendra Kr.Roy 1(App)

(In Cr.Misc. No.29285 of 2015)

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Nand Kumar (App)

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 29-09-2015

Heard both sides.

The petitioners seek bail in a case under Section 302
and other sections of the Indian Penal Code.

The brother-in-law of Renu Patel was killed and his
half burnt dead body was recovered from a maize field. The FIR
was lodged against unknown. After recovery of the dead body,
during the course of investigation, Renu Patel confessed her guilt
and disclosed that she got illicit relation with Rakesh Raushan @
Ray Bahadur. The deceased had seen her in compromising
position with Rakesh Raushan @ Ray Bahadur and thereafter she
conspired to kill her brother-in-law (younger brother of husband)

with the help Rakesh Raushan @ Ray Bahadur and the petitioners. Her brother-in-law was killed and his dead body was put in a maize filed from where the same was recovered.

It is submitted that there is no eye witness of the occurrence of killing. The witnesses only saw the petitioners taking a sack and keeping the same in a maize filed. Save and except the confession of Renu Patel there is no admissible evidence against the petitioners. Rakesh Raushan @ Ray Bahadur, who is chief conspirator of the crime, has already enlarged on anticipatory bail vide order passed in Cr. Misc. No. 21005/2015. The mobile of the deceased was recovered from Rintu Kumar, who has also been enlarged on bail.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the above named petitioners are 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 Sri Prasant Kumar, learned Judicial Magistrate, 1st class, Purnea in Barhara (Raghubansh Nagar) P.S. Case No. 25 of 2015.

(Prabhat Kumar Jha, J)

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