

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28615 of 2015

Arising Out of PS.Case No. -104 Year- 2015 Thana -BARH District- PATNA

Nandu Yadav son of Sri Anup Yadav resident of village - Soima, P.S. -
Barh, Dist - Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Premchandra Yadav, Advocate.

For the Opposite Party : Mr. M.Dayal(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-08-2015 Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code.

The informant alleged that his brother Anant @ Antu had gone to attend the call of nature but he did not return. The informant and others went to search and saw the petitioner and seven others having armed in their hands were passing through the field. The informant suspected that the petitioner and other accused persons might have killed his brother Anant @ Antu.

It is submitted that there is no eye witness of the occurrence. Except suspicion there is no material against the petitioner. Similarly, situated accused persons Rabindra Yadav,

Sumindra Yadav and Babloo Yadav have already been enlarged on bail.

On the other hand learned counsel for the informant as well as the learned APP however opposed the prayer for bail and submitted that the petitioner has got criminal antecedent and other accused persons who have already been enlarged on bail have got no criminal antecedent, but the fact remains that except suspicion there is no tangible material.

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 Additional Chief Judicial Magistrate, Barh, Patna in Barh P.S. Case No 104 of 2015.

(Prabhat Kumar Jha, J.)

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