

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39717 of 2014

Arising Out of PS.Case No. -1 Year- 2014 Thana -ADHAURA District- BHABHUA (KAIMUR)

Vinay Kumar @ Vinay Kewat @ Vinay Kumar Kewat Son of Jawahar Lal
@ Jawahar Kewat Resident of Village -Matar, P.S.- Bhagwanpur, District -
Kaimur at Bhabhua

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.41502 of 2014

Arising Out of P. S. Case No. -1 Year- 2014 Thana -ADHAURA District- BHABHUA (KAIMUR)

1. VINOD KEWAT Son of Late Jairam Kewat
2. Keshav Kewat @ Keshav Prasad Son of Late Bachchan Kewat
Resident of Village-Matar, P.S.-Bhagwanpur, District-Kaimur at
Bhabua.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.39717 of 2014)

For the Petitioner/s : Mr. Rajani Kant Pandey, Adv.

For the Opposite Party/s : Mr. Ajay Kr.Jha (App)

(In Cr.Misc. No.41502 of 2014)

For the Petitioner/s : Mr. Rajani Kant Pandey, Adv.

For the Opposite Party/s : Mr. Uday Chand Pd.(App)

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 06-02-2015 Both these cases arise out of Adhaura P. S. Case No. 1
of 2014, as such they have been heard together and are being
disposed of by this common order.

Heard learned counsel for the petitioners and learned

A.P.P. for the State.

The accused-petitioners seek bail in a case registered for the offence punishable under Sections 302/201/34 of IPC.

The prosecution case, in brief, is that FIR has been lodged by Chaukidar after finding the dead body of an unknown boy. During investigation, the dead body was identified as Yogendra Prasad, son of Ramesh Kewat. Ramesh Kewat identified the dead body of his son Yogendra Kewat.

It is submitted that there is no eye witness to the occurrence. The father of the deceased has raised suspicion against the petitioners and he has also stated that there was land dispute and the petitioners had threatened the father of the deceased.

It has further been submitted that the father of the deceased has lodged a sanaha dated 15.12.2013 in which it has been mentioned that on 17.12.2013 his son Yogendra Kewat proceeded for Bhabhua at 8 a.m. in the morning and he has not returned. Only figure and dress have been mentioned and no suspicion has been raised against the petitioners.

It is also submitted that after investigation charge-sheet has already been submitted and there is no chance of tampering with the evidence and the petitioners have no criminal antecedent.

Considering the facts and circumstances, the above named petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-2, Kaimur at Bhabua/court concerned in Adhaura P. S. Case No. 1 of 2014 (Trial No. 286 of 2014) with following conditions:-

1. The petitioners will not indulge themselves in similar or any other offence.
2. One of the bailors must be the close relative of the petitioners.
3. The petitioners will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, their bail bonds would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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