

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47750 of 2014

Arising out of PS.Case No. -39 Year- 2009 Thana -SALKHUA District- SAHARSA

Dilip Yadav, Son of Raghu Yadav @ Ragho Yadav, resident of Village -
Rasalpur, Police Station - Salkhua, District - Saharsa.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

with

Criminal Miscellaneous No.48458 of 2014

Arising out of PS.Case No. -39 Year- 2009 Thana -SALKHUA District- SAHARSA

Pramod Yadav, S/o Niro Yadav, resident of Village Nashi Tola, Mangwar,
Police Station Basnahi, District Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.47750 of 2014)

For the Petitioner : Mr. Ashok Kumar, Advocate.

For the Opposite Party : Mr.Tapeshwar Sharma(App)

(In Cr.Misc. No.48458 of 2014)

For the Petitioner : Mr. Ashok Kumar, Advocate.

For the Opposite Party : Mr. B.N.Pandey(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 28-04-2015 Heard both sides.

The petitioners Dilip Yadav and Pramod Yadav seek
bail in Salkhua P.S. Case No. 39 of 2009 under Sections 302,
120(B)/34 of the Indian Penal Code and Section 27 of the Arms
Act.

The petitioners are not named in the First Information Report. The informant suspected that on account of enmity, Shailendra Yadav, Fulo Yadav. Chhoti Yadav and Bal Krishna Yadav might have committed murder of his parents.

It is submitted that even in the protest petition, the name of the petitioners did not figure. On mere suspicion, the name of the petitioners figured in the case as disclosed by some of the witnesses. Similarly situated co-accused, Gautam Yadav, has already been enlarged on bail.

From perusal of the order of the learned Sessions Judge-III, Saharsa, it appears that during the course of investigation, some of the witnesses, namely, Arun Yadav, Ganesh Yadav, Pramod Yadav and Sachendra Yadav also suspected the hands of the petitioners in killing the parents of the informant. Except suspicion, there is no tangible material.

Considering the facts aforesaid, the petitioners, above named, are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, Saharsa, in Salkhua P.S. Case No. 39 of 2009.

U.K./-

(Prabhat Kumar Jha, J)

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