

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44982 of 2015

Arising Out of PS.Case No. -160 Year- 1999 Thana -TRIVENIGANJ District- SUPAUL

1. Indal Yadav, Son of Brahamdeo Yadav.
2. Krishna Kumar Yadav @ Krishna Yadav @ Kirish Yadav Son of Late Shiv Dayal Yadav.
3. Shyam Yadav Son of Late Shiv Dayal Yadav. All are Resident of Village- Kushaha P.S- Tribeniganj, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

2 16-10-2015 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend arrest in Tribeniganj P.S. Case No. 160 of 1999 dated 23.10.1999 instituted under Sections 302/201/120B of the Indian Penal Code.

The petitioners are named along with 16 others and

are said to have been party to the murder of the husband of the informant.

Learned counsel for the petitioners submits that the incident is of the year 1999 and the police, after investigation, submitted final form in the year 2002 but surprisingly on the same material, the Court has taken cognizance in the year 2013. It is submitted that on the basis of suspicion cognizance has been taken though none of the witnesses have stated about any specific role of the petitioners in the crime. It is further submitted that the petitioners have clean antecedent. Learned counsel submits that similarly situated 11 co-accused have also been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 18054 of 2015 on 15.09.2015.

Learned A.P.P. submits that the Court has taken cognizance against the petitioners.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Judicial Magistrate, 1st Class, Supaul in Tribeniganj P.S. Case No. 160 of

1999, subject to the conditions laid down in Section 438(2) of the
Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J)

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