

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8623 of 2015

Arising Out of PS.Case No. -47 Year- 2014 Thana -PAUTHU District- AURANGABAD

1. Ganesh Yadav
2. Naresh Yadav Both son of Late Chandradee Yadav resident of village
Kharuna Bujurg P.S. Pauthu distt- Aurangabad.(Bihar)
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

With

Criminal Miscellaneous No.12180 of 2015

Arising Out of PS.Case No. -47 Year- 2014 Thana -PAUTHU District- AURANGABAD

Dharmesh Yadav son of Late Dinesh Yadav Resident of Village- Kharuna
Bujurg, P.S. Pauthu, District- Aurangabad.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

Appearance:

(In Cr.Misc. No.8623 of 2015)

For the Petitioner/s : Mr. Kamendra Pd. Singh
For the Opposite Party/s : Mr. Prem Kumar Jha (App)

(In Cr.Misc. No.12180 of 2015)

For the Petitioner/s : Mr. Kamendra Pd. Singh
For the Opposite Party/s : Mr. Amitesh Kumar (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 23-07-2015 Heard both sides.

The petitioners seek bail in Pauthu P.S. Case No. 47
of 2014 under Sections 302 and other sections of the Indian Penal
Code.

The informant alleged that Rajesh Mistri and Praveen
Sah took her son Arvind Sao to see a programme but his son did

not return. The dead body of her son was recovered from the field of Hari Mohan Sharma. During the course of investigation, it transpired that the deceased Arvind Sao had a talk with one Sweta Kumari. Sweta Kumari was interrogated but she did not disclose as to who took the deceased. The petitioners were apprehended and they are said to have confessed their guilt.

Learned counsel for the informant, while opposing the prayer for bail, submits that petitioners Ganesh Yadav and Naresh Yadav confessed their guilt and in pursuance thereof the dead body of the deceased was recovered, but it appears that the dead body of the deceased was recovered from the field of Hari Mohan Sharma on 30.08.2014 itself. The confessional statement of Ganesh Yadav and Naresh Yadav were recorded on 17.10.2014, i.e. more than 1½ months after the recovery of the dead body. It is also submitted that several witnesses have stated that the petitioners were threatening the deceased to kill, but except confession, there appears no tangible material against the petitioners.

Considering the facts aforesaid, the petitioners, namely, Ganesh Yadav, Naresh Yadav and Dharmesh Yadav are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount

each to the satisfaction of the learned Chief Judicial Magistrate,
Aurangabad in Pauthu P.S. Case No. 47 of 2014.

Dilip/-

U		T	
---	--	---	--

(Prabhat Kumar Jha, J)