

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18199 of 2015

Arising Out of PS.Case No. -637 Year- 2014 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Manohar Yadav Son of Sri Ghanshyam Yadav Resident of Mohalla
Rajeev Nagar Colony Barari, Police Station Barari, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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with

Criminal Miscellaneous No.11244 of 2015

Arising Out of PS.Case No. -637 Year- 2014 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Baleshwar Yadav S/o Wakil Yadav Resident of Mohalla - Rajiv Nagar
Colony, P.S. Barari, District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.18199 of 2015)

For the Petitioner/s : Mr. Hira Jha

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.App)

(In Cr.Misc. No.11244 of 2015)

For the Petitioner/s : Mr. Davendra Kumar Pandey

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 02-09-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are languishing in custody since 18.11.2014
and 13.09.2014 for the offences instituted under Sections
302/201/120(B) of the Indian Penal Code and Section 3(ii)(v) of
the Scheduled Castes and Scheduled Tribes (Prevention of

Atrocities) Act, 1989.

The prosecution story, in brief, is that husband of the informant was taken from his house on motorcycle at 09.30 p.m. by Nakal Yadav and Sarvan Yadav. Thereafter, Ritesh Choudhary phoned Sanjay at 3 O'clock that Nakul Yadav, Sarvan Yadav, Manohar Yadav (the petitioner) and 7-8 persons jointly killed her husband and also burnt.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 18.11.2014 and 13.09.2014 respectively. Chargesheet has been submitted in this case. There is no direct or indirect evidence against these petitioners for committing the alleged offence. It is a case of last seen.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released 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, Bhagalpur in connection with Kotwali (Barari) P.S. Case No. 637 of 2014.

(Sudhir Singh, J)

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