

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3602 of 2015

Arising Out of PS.Case No. -85 Year- 2014 Thana -BANGAON District- SAHARSA

1. Mukesh Yadav S/o Late Bineshwari Yadav R/o Village - Tiluthi, P.S. -
Simri Bakhtiarpur, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.10432 of 2015

Arising Out of PS.Case No. -85 Year- 2014 Thana -BANGAON District- SAHARSA

1. Badri Kumar Yadav @ Rajeev Yadav S/o Umesh Yadav Resident of
Village Belwara, P.S. Simari Bakhtiyarpur, District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.3602 of 2015)

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Nirmal Kr.Sinha(App)

(In Cr.Misc. No.10432 of 2015)

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Harendra Prasad (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 21-04-2015 Both the above stated petitions arise out of Bangaon

P.S.Case No. 85 of 2014 registered under section 302, 394 of the

Indian Penal Code and accordingly, both the above stated petitions

are being disposed of by this common order.

Petitioners are not named in the first information report



but in course of investigation, some witnesses claimed to have seen the petitioner of Cr. Misc. No.3602 of 2015 along with two unknown persons in Rampur Bazar and furthermore, some witnesses stated that petitioner in Cr. Misc. No. 3602 of 2015 purchased chilly powder from the aforesaid market. It is also obvious from perusal of the case diary that in course of investigation, one co-accused, Amit Yadav was arrested and some cash, country made pistol and blood stained shirt were recovered from his possession and in his confessional statement, co-accused Amit Yadav disclosed the name of petitioners and other accused. The houses of the petitioners were raided and allegedly looted cash were recovered.

Learned counsels appearing for the petitioners submits that there is nothing on the record to show that recovered cash was of looted property and except confessional statement of the co-accused as well as suspicion there is nothing against the petitioners.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Saharsa in

connection with Bangaon P.S.Case No. 85 of 2014.

(Hemant Kumar Srivastava, J)

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