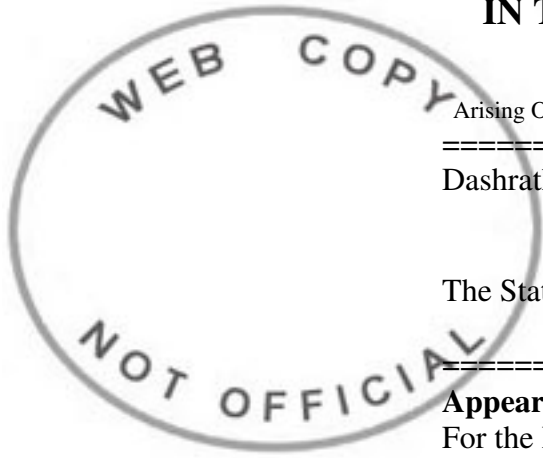




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30812 of 2014

Arising Out of PS.Case No. -11 Year- 2013 Thana -BIND District- NALANDA (BIHARSHARIFF)

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Dashrath Yadav

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr. Dudh Nath Singh, Advocate.

For the Opposite Party : Mr. Madhuranand Jha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 16-02-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 302 and 328/34 of the Indian Penal Code.

It is alleged that the informant's son Vikash Kumar went to bring vegetable alongwith his brother Chandan Kumar when the co-accused Rampal Yadav took the son of the informant Vikash Kumar to village Kathrahi, the in-laws place of his late brother Prahlad Yadav and thereafter the victim never returned. On 19.12.2012 Sanha was lodged. Subsequently, the police recovered the dead body of the son of the informant consequently U.D. case was registered on 20.12.2012 whereas the present F.I.R.

was registered on 16.03.2013 that the victim was administered liquor mixed with poison by the petitioner and others.

It is submitted by learned counsel for the petitioner that for occurrence of 19.12.2012, F.I.R. was registered on 16.03.2013. The accusation has been levelled on suspicion as nothing was alleged when U.D. Case was registered or Sanha was lodged after recovering the dead body by the informant.

It is submitted by learned counsel for the State that the witnesses have suggested that the petitioner was involved in administering poison to the victim.

Considering the fact that F.I.R. was lodged after three months, statement made in paragraph no. 3 of the petition that the petitioner has no criminal antecedent and F.I.R. named accused persons Rampal Yadav, Radha Devi and Sajani Devi have been granted bail by this Court vide Cr. Misc. Nos. 48259 of 2013, 35306 of 2013 and 48980 of 2013, let the petitioner, above named, be released on bail in the event of arrest or surrender before the learned court below within a period of twelve weeks from today in connection with Bind P.S. Case No. 11 of 2013 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties

of the like amount each to the satisfaction of the learned C.J.M. Nalanda at Biharshariff, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Dinesh Kumar Singh, J)

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