

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24374 of 2014

Arising Out of PS.Case No. -252 Year- 2013 Thana -JHAJHA District- JAMUI

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Chhoti Yadav S/o Late Manna Yadav Resident of Village Balaparar, P.S. Jhajha, District Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhananjaya Nath Tiwari

For the Opposite Party : Mr. Satyendra Nr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 19-01-2015 Petitioner is languishing in custody since 12.01.2014 in a case registered for the offences punishable under Sections 302/34 of the I.P.C.

It is alleged that informant's son proceeded with his Magic Van but did not return. The informant tried to contact him but he could not get any response. In the following morning the dead body of the son of the informant was found hanging with a mango tree. The name of the petitioner sprang up on the statement of Parwati Devi who stated that the van of the victim was parked in front of her house when this petitioner and others broke the glasses of the vehicle, entered into the vehicle and assaulted the victim and thereafter they left the place with vehicle and subsequently they killed the victim. During investigation it also transpired that the victim had love affairs with the niece of the petitioner which was not liked by

the petitioner and others. The telephonic conversation of the niece of the petitioner and the victim has also been traced by the investigating agency.

It is submitted by learned counsel for the petitioner that there is no eye witness to the occurrence and only on suspicion the accusation has been levelled and this fact has not been controverted by learned A.P.P. It is further submitted that there was no occasion for the Parwati Devi to disclose about the incident after several days of the institution of the case.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the circumstantial nature of accusation, delayed disclosure of the incidence by Parwati Devi and petitioner having no criminal antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No. 252 of 2013.

(Dinesh Kumar Singh, J)

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