

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42882 of 2014

Arising Out of PS.Case No. -109 Year- 2014 Thana -CHANDAULI District- GAYA

1. Ramesh Yadav Son of Banke Yadav R/o Village Diguna, P.S. Chandauti,
District Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.43006 of 2014

Arising Out of PS.Case No. -109 Year- 2014 Thana -CHANDAULI District- GAYA

Satendra Kumar @ Satendra Kumar Yadav @ Satyendra Yadav,son of
Rameshwar Yadav, resident of village-Chhatubagh, P.S. Chandauti ,
District-Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.43636 of 2014

Arising Out of PS.Case No. -109 Year- 2014 Thana -CHANDAULI District- GAYA

1. Rajdeo Yadav Son of Late Mohan Yadav Resident of Village-Atiyan,
P.S.-Magadh University and District-Gaya Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.42882 of 2014)

For the Petitioner/s : Mr. Rajendra Narayan,Sr.Adv. Mr. Sunil
Kumar Yadav

For the Opposite Party/s : Mr. Shantanu Kumar (App)

(In Cr.Misc. No.43006 of 2014)

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.P.P.)

(In Cr.Misc. No.43636 of 2014)

For the Petitioner/s : Mr. Manish Kumar No-2

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

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR

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ORAL ORDER

3 21-01-2015

Cr. Misc. Nos. 42882, 43006 and 43636 of 2014 arise of Chandauti P.S. Case No. 109/2014. As such, all these petitions have been heard together and are being disposed of by this common order.

Heard the learned counsel for the petitioners, the learned A. P. P. for the State and the learned counsel for the informant.

The petitioners are in custody for the offences punishable under sections 302/34 of the Indian Penal Code and 3(2) of the SC/ST Act.

The prosecution case is that Raj Kumar Paswan, husband of the informant was travelling on a jeep with Bali Paswan, Sundar Paswan, Surendra Yadav and Birendra Yadav. When Raj Kumar Paswan came down from the jeep, three persons hiding their faces made indiscriminate firing causing the death of Raj Kumar Paswan at the place of occurrence and the informant has not seen the occurrence and the suspicion is against petitioner Ramesh Yadav, his nephew Lalan Yadav and Mukesh Yadav. Prior to the occurrence Ramesh Yadav had given threatening to the husband of the informant to kill him and it has been suspected that due to enmity Ramesh Yadav, his nephew Lalan Yadav and



Mukesh Yadav have committed the offence. It has also been submitted that during investigation Satendra Kumar Yadav , the accused-petitioner has been arrested and he has made confessional statement in which he has disclosed the name of co-accused petitioner Rajdeo Yadav. It has been further submitted that the witnesses named in the Fardbeyan have not been examined during investigation. However, chargesheet has been submitted against the petitioners and the investigation is pending against other co-accused. It has been further submitted that there is no eye-witness to the occurrence and only suspicion has been made against petitioner Ramesh Yadav and the names of Satendra Kumar Yadav and Rajdeo Yadav have appeared in the confessional statement of Satendra Kumar Yadav before the police.

Considering the facts and circumstances of the case, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Subdivisional Judicial Magistrate, Gaya in Chandauti P.S. Case No. 109/2014 with the following conditions:

1. One of the bailors will be the close relatives of the petitioners.
2. The petitioners will not indulge in similar or in any



other offence.

- 3. The petitioners will be well represented in the court.
- 4. In case of absence for two consecutive dates or in violation of the terms of the bail, their bail bonds will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

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