

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13154 of 2015

Arising Out of PS.Case No. -35 Year- 2015 Thana -DHAMDAHA District- PURNIA

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Birbal Yadav Son of Asharfi Yadav Resident of Village- Durgapur Balu
Tola, P.S.- Sarsi, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Jitendra Kr.Singh 1(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

05/ 21-05-2015

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
10.02.2015 in a case registered for the offences punishable under
Sections 302 and 201/34 of the Indian Penal Code.

An unidentified dead body was recovered by
village Chaukidar from the field of one Mahadeo Yadav.
Subsequently, the victim was identified through the photograph
by Rekha Devi claiming herself the mother of the victim,
namely, Ganit Kumar. Subsequently, Rekha Devi stated before
the police that on 02.02.2015 at 5.00 P.M. her son conveyed
that on the phone call of the petitioner he went to the
petitioner on 02.02.2015. On 03.02.2015 Rekha Devi tried to

contact the victim but his mobile was switch off. On 07.02.2015 the petitioner conveyed that the victim never came to him.

It is submitted by learned counsel for the petitioner that only on suspicion the petitioner has been roped in the present case as the victim went traceless on 02.02.2015, but no effort was made by the mother to locate him and his dead body was recovered on 04.02.2015 and thereafter the mother claimed to have got enquired from the petitioner. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the suspicious circumstantial nature of accusation, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Dhamdaha P.S. Case No. 35 of 2015.

(Dinesh Kumar Singh, J)

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