

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52812 of 2015

Arising Out of PS.Case No. -42 Year- 2014 Thana -BASNAHI District- SAHARSA

1. Jai Krishna Yadav Son of Late Dev Narayan Yadav
2. Ashok Yadav Son of- Bhola Yadav Resident of village- Ghoghanpatti
P.S.- Sour Bazar Dist- Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha
For the Opposite Party/s : Mr. Pushpa Sinha (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-12-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Basnahi P.S.Case No. 42 of 2014 registered for offences
punishable under Sections 302, 120 (B), 201, 34 of the Indian
Penal Code and under Section 27 of Arms Act.

As per fardbeyan of the informant she came to know
that a dead body of a person was found on whose hand tattoo mark
as “ Dhirendra Yadav” was there. Thereafter, the informant along
with her father-in-law Madan Yadav came at the Post Mortem
Room and found the dead body of her husband. The informant has
suspected that the F.I.R. named accused persons after making
conspiracy committed murder of her husband.

It has been submitted by the learned counsel for the petitioners that these petitioners have been falsely implicated in this case and all the petitioners have been named in the F.I.R. on the basis of suspicion. There is no direct or indirect evidence against the petitioners. It has further been submitted that a co-ordinate Bench of this Court has granted the privilege of bail in Cr. Misc. No. 10180 of 2015, Cr. Misc. No. 32227 of 2015 and Cr. Misc. No. 29530 of 2015 to other co-accused.

Considering the aforesaid facts, let the petitioners above named, in the event of their arrest or surrender within a period of six weeks from today before the Court below be enlarged on bail on furnishing bail bonds of Rs, 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Basnahi P. S. Case No. 42 of 2014 (G.R. No. 1270 of 2014), subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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