

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7165 of 2016

Arising Out of PS.Case No. -152 Year- 2015 Thana -DHARHARA District- MUNGER

Melo Yadav Son of late Subhit Yadav Resident of Village- Kudartabad
Pachrukhi, P.s Dharhara, District Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.11796 of 2016

Arising Out of PS.Case No. -152 Year- 2015 Thana -DHARHARA District- MUNGER

Sri Ram Yadav @ Siyaram Yadav @ Shri Ram Kumar Son of Jairam
Yadav resident of village - Kudartabad Pachrukhi, P.S. Dharhara, District -
Munger

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.7165 of 2016)

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. A.K.Choudhary(App)

(In Cr.Misc. No.11796 of 2016)

For the Petitioner/s : Mr. Ajit Kumar Singh

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

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 17-05-2016 Heard learned counsel for the petitioners and learned
Spl. A.P.P. appearing on behalf of the State.

The petitioners apprehend their arrest in connection
with Dharhara P.S. Case No. 152 of 2015 for the offences
registered under Sections 147, 148, 149, 302 of the Indian Penal
Code.



Learned counsel for the petitioners submits that the present petitioners are not named in the first information report. It is further submitted that name of the petitioners has surfaced only on the confessional statement made before the police by one of the co-accused persons. It is further submitted that save and except the aforementioned confessional statement which is not admissible in evidence, there is no further cogent material in the case diary so as to implicate the petitioners in the present case.

Learned counsel for the State submits that the name of the petitioners has surfaced on the confessional statement made by one of the co-accused and the father of the Rajiv Choudhary (deceased) namely, Sita Ram Choudhary. However, on perusal of the statement made by Sita Ram Choudhary, it appears that he was also not an eye witness to the occurrence.

Considering the fact that there is no cogent material in the case dairy so as to implicate the petitioners in the present case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released 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 the Chief Judicial Magistrate, Munger in connection with Dharhara P.S. Case No. 152 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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