

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17665 of 2016

Arising Out of PS.Case No. -84 Year- 2013 Thana -BRAHMPUR District- BUXAR

- =====
1. Sarbjeet Yadav, Son of Rajnath Yadav,
 2. Dhodha Yadav, Son of Ramnath Yadav, Both Resident of Village –
Chakki-Rangi Dera, P.S. - Brahmpur (Chakki O.P.), District - Buxar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr.
For the Opposite Party/s : Mr. T.N.Thakur (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 03-05-2016 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in connection with
Brahampur (Chakki O.P.) P.S.Case No. 84 of 2013 for the
offences punishable under Sections 302/201 of the Indian Penal
Code.

The prosecution case is that the brother of informant
was accompanied by Nanhe Pandey on a motorcycle for the
purpose of settlement of expenditure of vehicle which his brother
was driving, but thereafter did not return and when tried to
contact on mobile number, in another voice abusive language and

threatening was coming and thereafter mobile became switch off and then they started searching upon which, the informant on some information found the dead body of his brother and hence the informant claimed to have killed his brother by said Nanhe Pandey

It has been submitted by the learned counsel for the petitioners that they are not named in the FIR, has no criminal antecedent and the police only on investigation on 11.03.2016 has prayed for issuance of warrant. It has further been submitted that petitioners during investigation has found a day before was seen going a tractor with another co-accused Lalan Yadav and with deceased brother of the informant after that the dead body was found. It has further been submitted that there is no eye-witness to the alleged occurrence and the petitioners have been implicated only on the basis of suspicion.

However, the learned APP for the State submits that though the petitioners are not named in the FIR but during investigation the name surfaced hence, opposes the prayer for bail.

Be that as it may, since the petitioners are not named in the FIR and have been implicated merely on suspicion, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of eight weeks from today,

be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar, in connection with Brahampur (Chakki O.P.) P.S. Case No. 84 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J.)

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