

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28372 of 2016

Arising Out of PS.Case No. -65 Year- 2014 Thana -HULASGANJ District- JEHANABAD

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1. Munarik Yadav Son of Ram Bhajan Yadav Resident of Village-Ibrahimpur, Police Station- Hulasganj in the district of Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 29-09-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code.

Petitioner is named in the first information report and according to first information report, the informant's son had illicit relation with daughter of F.I.R. named accused, Lalan Yadav and petitioner happens to be brother of F.I.R. named accused, Lalan Yadav. In course of investigation, vide paragraphs no. 54, 55 and 56 of the case diary, the witnesses claimed to have seen the petitioner and Lalan Yadav taking away the deceased on 27.08.2014. The statements of aforesaid witnesses were recorded

after two and half months of the alleged occurrence. Moreover, learned counsel for the petitioner referred para-98 of the case diary and submits that C.D.R. of mobile phone of victim goes to show that on 28.08.2014 he had called to his mother and, therefore, even if the statements recorded vide paragraphs no. 54, 55 and 56 of the case diary assumed to be true, then also, it cannot be said that petitioner and co-accused, Lalan Yadav were last seen in the company of the deceased.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the 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 Chief Judicial Magistrate, Jehanabad in connection with Hulasganj P.S. Case No. 65 of 2014.

(Hemant Kumar Srivastava, J)

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