

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42561 of 2016

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Daulat Kumar Yadav, S/o Biren Yadav, Resident of Villlage- Rauta Tola
Bathnaha, P.S.- Sour Bazar, District- Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 28-11-2016

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 happens to be son in law of the informant, who alleged in his written report that on 23.02.2016, his son went to the house of petitioner and after that since 25.02.2016, the petitioner started demanding rupees four lacs giving threatening to kill the informant's son. However, when his son did not return to his home, he went in search of his son and on 06.03.2016, the dead body of the deceased was found in a maize field.

In course of investigation, the wife of the petitioner

vide paragraph no. 7 of the case diary stated that petitioner with deceased left his home on 29.02.2016 and after that deceased did not return. However, when she made enquiry about the deceased from the petitioner, petitioner disclosed that deceased went to his home.

Learned counsel appearing for the petitioner submits that a skeleton was recovered from a maize field and in course of investigation, the higher officials directed the investigating officer to get the DNA report but without getting DNA report, charge sheet has been submitted. Moreover, except suspicion, there is nothing against the petitioner.

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, Saharsa in connection with Sour Bazar P.S. Case No. 79 of 2016.

(Hemant Kumar Srivastava, J)

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