

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39127 of 2016

Arising Out of PS.Case No. -234 Year- 2015 Thana -MANSI District- KHAGARIA

Mukesh Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Chandra

For the Opposite Party/s : Mr. Sri Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO**

ORAL ORDER

2 17-09-2016 Heard the learned counsel for the petitioner and the learned
A.P.P. also.

The petitioner, Mukesh Yadav, is in custody since 06.07.2016 in Mansi P.S. Case No.234 of 2015 under Section 302/34 IPC and 27 of the Arms Act.

According to the prosecution case, the informant claiming himself to be eye witness filed the FIR alleging that the four named accused persons entered into the house of the informant and fired at the father and mother of the informant and both of them died at the spot. The said co-accused are named as Gopal Yadav, Pandav Yadav, Nitish Kumar Yadav and Gautam Yadav.

From perusal of the order passed by the Sessions Judge, it appears that one another co-accused Pappu Yadav was arrested on suspicion who confessed before the police that he

along with his petitioner have also got hand in commission of this offence. Except this allegation and confession of the so called co-accused, Pappu Yadav, who is also not named in the FIR, there is nothing against the petitioner. From the FIR itself, it is clear that the four accused persons committed murder.

In view of the above facts and circumstances of the case, I direct that the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria in connection with Mansi P.S. Case No.234 of 2015 on condition that the petitioner will fully cooperate the police for investigation of the case.

(Mungeshwar Sahoo, J)

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