

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49464 of 2016

Arising Out of PS.Case No. -19 Year- 2016 Thana -JAMHORA District- AURANGABAD

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1. Umesh Rajak Son of Sri Ram Pravesh Rajak resident of village- Suara,
Po- Pahleja, Ps- Dehri, District- Rohtas. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kr Sinha No.2, Advocate

For the Opposite Party/s : Sri Bal Mukund Prasad Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioner as well as
learned APP.

Petitioner, Umesh Rajak is the cousin (Phupera) brother
of Bijendra Kumar Baitha, husband of deceased who along with
Bijendra Kumar Baitha, Ravindra Kumar Baitha and Sandhya Devi
have been alleged to have committed murder of the deceased, Mana
Devi and disposed of her dead body. Petitioner is resident of different
village and on account thereof, obligation in terms of Section 106 of the
Evidence Act would not lie against him. From the order impugned, it is
evident that the allegation against the petitioner happens to be in a
casual manner.

Accordingly, petitioner, Umesh Rajak is directed to be
released on bail on furnishing bail bond of Rs. 10,000/- with two
sureties of the like amount each to the satisfaction of Chief Judicial
Magistrate, Aurangabad in connection with GR No. 791/16 arising out
of Jamhore PS Case No. 19/2016.

(Aditya Kumar Trivedi, J)

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