

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33267 of 2016

Arising Out of PS.Case No. -113 Year- 2016 Thana -MURLIGANJ District- MADHEPURA

Rajesh Kumar, Son of Chandeshwari Yadav @ Chano Yadav @ Chano,
Resident of village- Belo Tola Bhatta / Belo Hanta Tola, Police Station-
Murliganj, District- Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar

For the Opposite Party/s : Mr. Smt. Reena Sinha

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 26-08-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Murliganj P.S. Case no. 113 of 2016, registered under Sections 302,
120(B)/34 of the Indian Penal Code.

The allegation of informant Ram Chandra Yadav is that
on 07.12.2015 there was Football match and music programme in his
village. The son of the informant, namely, Lankesh Kumar, who was a
teacher in Girls Middle School, also went to participate in the said
programmes. In course of music programme, petitioner and three
others under conspiracy to grab the money, committed murder of his
son Lankesh Kumar and kept the dead body on the railway track and
parked the motorcycle of deceased beside the railway track. After two
days, Awadesh Kumar given him key of the motorcycle saying that

Brajesh has given him key of the motorcycle. The clothes of his son was found near Panchyat Bhawan. Someone informed from the mobile number of his son to daughter-in-law of the informant regarding dire consequences. On receiving this information, informant along with others started searching his son. On the next day, the dead body of his son was recovered and Police lodged U.D. Case No. 18 of 2015.

Learned counsel for the petitioner submits that the occurrence is said to be held on 07.12.2015 and on the next day U.D. Case No. 18 of 2015 was instituted, but due to ulterior motive informant lodged this case saying that Awadesh Kumar given key of the motorcycle of the deceased to the informant saying that Brajesh has given him the said key on 12.04.2016 after five months of the occurrence.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhepura in connection with Murliganj P.S. Case No. 113 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J.)

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