

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29388 of 2016

Arising Out of PS.Case No. -54 Year- 2002 Thana -BANMANKHI District- PURNIA

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Rajendra Yadav Son of Musahru Yadav Resident of Jiyanganj Uttar Tola,
P.S.- Sarsi, District- Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Akhileshwar Prasad Singh, Sr. Advocate

For the Opposite Party : Mr. Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 30-08-2016 Heard counsel for the petitioner and Mr. Mukeshwar

Dayal, learned APP for the State.

In 2002, the FIR was lodged under Section 302 IPC with an allegation that the father of the informant was watching the wheat crops. In the morning when the informant went there, he found his father lying dead in nearby field. On the basis of previous animosity he suspected the hands of five accused persons including the petitioner. It is submitted that on investigation, the police did not find any convincing evidence/material against the petitioner who is 87 years of age and was not sent up for trial. The other accused persons sent up for trial have since been tried and acquitted. Recently, the learned court below has directed for issuance of non-bailable warrant.

Considering the fact that the petitioner is 87 years old and was initially not sent up by the police and also that recently the Court has taken steps for his arrest I direct in the event of his arrest or surrender in the court below within a period of four weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with Banmankhi (Sarsi) P.S.Case No.54 of 2002, subject to the conditions as laid down under Sections 438(2) of the Cr.P.C. One of the bailors shall be his own/close family member(s).

(Kishore Kumar Mandal, J)

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