

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46841 of 2015

Arising Out of PS.Case No. -374 Year- 2014 Thana -UDWANTNAGAR District- BHOJPUR

- =====
1. Dharamdeo Yadav, Son of Late Suraj Yadav
 2. Bijay Yadav, Son of Late Sheonath Yadav
 3. Bijendra Yadav, Son of Birbal Yadav
 4. Bharat Yadav@Bharat Singh Yadav, Son of Birbal Yadav
 5. Ramesh Yadav, son of Sri Kishun Yadav
 6. Rajesh Yadav@Rajesh Singh Yadav, Son of Sri Kishun Yadav
 7. Sikaul Yadav, son of Firangi Yadav
- All are Resident of Village- Salampur, P.S.- Chandi,
District- Bhojpur, Arrah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Krishna Chandra, Advocate
For the Opposite Party : Mr. Manoj Kumar(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 21-01-2016 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Udwant Nagar P.S. Case No.374 of 2014 for allegedly having committed the offences under Sections 302 and 201/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that in the present case, F.I.R. was lodged against Biru Singh and Raj Kumar Das, who had come to the house of the informant and taken her husband for some purpose. Later on, her husband was found lying dead with his face downward in the mud and it was

suspected that the deceased was throttled to death. Learned counsel for the petitioners further submits that the names of these petitioners have surfaced in the confessional statement made before the police by said Biru Singh, which has no evidentiary value. It is further submitted that these petitioners are said to have attacked the deceased whereas the post-mortem report indicates that it was a case of throttling.

Considering the aforementioned facts and circumstances and that there being a clear cloud on the prosecution story and also because the petitioners are not having any criminal antecedents, let all the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Udwant Nagar P.S. Case No.374 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

PNM

(Anjana Mishra, J)

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