

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51852 of 2016

Arising Out of PS.Case No. -751 Year- 2010 Thana -COMPLAINT CASE District- BANKA

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1. Prakash Yadav S/o Thanu Yadav
2. Thanu Yadav S/o late Hari Yadav Both resident of Village- Kharwajore,
P.S.- Katoriya, Distt- Banka.
3. Ramdeo Yadav S/o Sri Gunu Yadav@Guno Yadav
4. Madhu Yadav S/o late Lilo Yadav Both Resident of Village- Kharkhara,
P.S.- Katoriya, Dist- Banka.

.... Petitioners

Versus

1. The State of Bihar.
2. Dasharath Yadav S/o late Malohar Yadav resident of Village- Sonari,
P.S.- Banka, District-Banka.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Ajay Mukherjee, Advocate.

For the State : Mr. Bisheshwar Ram, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-12-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Complaint Case No. 751/2010 in which cognizance has been taken under Sections 120(B) and 302/34 of the IPC.

The prosecution story, in brief, is that on 09.11.2007 at 2.00 P.M., the daughter of the complainant told him that she has been thrown out at her law's house. He sent his son with her daughter there to know about the fact. But his son did not return



within one month and on 12.12.2007 the complainant came to know that his son died near the Railway Track at Raniganj (West Bengal). The accused persons after taking dead body informed the complainant that his son died due to accident.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. Two separate complaint cases were filed regarding the death of the deceased which were amalgamated and sent for institution of the FIR under Section 156(3) Cr. P.C. The said FIR is Annexure-2 to the present application. The police after investigation submitted the final form. Thereafter, the case proceeded on the basis of protest-cum-complaint which is Annexure-1 to the present application in which the petitioners are seeking bail. As per Annexure-1 also no specific allegation has been made against the petitioners.

On behalf of the State, it has been submitted that the petitioners are named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No.



751 of 2010 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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